AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

THE NATIONAL ARCHIVES

FEDERAL REGISTER

VOLUME 23 NUMBER 151

Washington, Saturday, August 2, 1958

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 26—EMPLOYMENT WITH PUBLIC INTERNATIONAL ORGANIZATIONS

The title of Part 26 is amended to read as follows: "Employment with Public International Organizations." Sections 26.1 to 26.10 are redesignated as "Subpart A—Public International Organizations Generally" and a new Subpart B—"International Atomic Energy Agency" is added as set out below.

Subpart B—International Atomic Energy Agency

Sec.
26.201 Purpose.
26.202 Coverage.
26.203 Definitions.
26.204 Separation procedure.
26.205 Pay increases.
26.206 Retirement and insurance.
26.207 Entitlement to reemployment.
26.208 Department obligation to reemploy.
26.209 Failure to reemploy.
26.210 Resumption of Federal service.

AUTHORITY: §§ 26.201 to 26.210 issued under sec. 6, 71 Stat. 454; 22 U. S. C. 2025. E. O. 10774, 23 F. R. 5681.

SUBPART B—INTERNATIONAL ATOMIC ENERGY AGENCY

§ 26.201 *Purpose.* The purpose of the regulations in this subpart is to implement section 6 of the International Atomic Energy Agency Participation Act of 1957 (Pub. Law 85–177, approved August 28, 1957), and Executive Order 10774 of July 25, 1958, to protect civil service rights and privileges, whenever appropriate, for Federal employees or officers who are or have been separated from their department and who acept employment with the Agency.

§ 26.202 *Coverage.* The regulations in this subpart apply to all civilian employees and officers in any department in any branch of the Federal Government.

§ 26.203 *Definitions.* As used in this subpart, the term:

(a) "Act" means the International Atomic Energy Agency Participation Act of 1957 (Pub. Law 85–177, approved August 28, 1957).

(b) "Agency" means the International Atomic Energy Agency.

(c) "Commission" means the United States Civil Service Commission.

(d) "Department" means any department, agency, or independent establishment in any branch of the Federal Government, including Government-owned or -controlled corporations.

(e) "Employee" means any civilian Federal employee, other than a Presidential appointee or elected officer, who leaves his Federal position after August 27, 1957, with the consent of his department to enter employment with the Agency.

(f) "Life Insurance Act" means the Federal Employees' Group Life Insurance Act of 1954, as amended.

(g) "Officer" means any Presidential appointee or elected officer who leaves his position after August 27, 1957, and within 90 days enters employment with the Agency.

(h) "Retirement Act" means the Civil Service Retirement Act, approved July 31, 1956, as amended.

(i) "Term of employment" means not more than three consecutive years of employment beginning with entrance on duty in the Agency.

§ 26.204 *Separation procedure*—(a) *Request for employee.* The Agency's request for an employee shall be in writing and submitted to the department in which such employee is serving. The department may consent to the release of any non-temporary employee.

(b) *Letter of consent.* If the head of the losing department or his designated representative is agreeable to the separation of an employee with the benefits provided in this subpart, his consent shall be given in writing to the Agency.

(c) *Effective date.* The effective date of separation is to be established by mutual agreement between the department and the Agency.

(d) *Disapproval.* A refusal by the head of the department to consent to the separation is not reviewable by, or appealable to the Commission.

(e) *Recording requirements.* A statement of the leave account of an employee or officer shall be furnished to him upon separation. In addition, the personnel action effecting the employee's separation shall clearly show that he has reemployment rights in the department.

§ 26.205 *Pay increases*—(a) *Employee.* An employee who is reemployed

(Continued on p. 5849)

CONTENTS

	Page
Agricultural Marketing Service	
Proposed rule making:	
Dates, domestic; produced or packed in Los Angeles and Riverside Counties of California	5879
Rules and regulations:	
Limitations of handling:	
Lemons grown in California and Arizona	5863
Oranges, Valencia, grown in Arizona and designated part of California	5863
Agricultural Research Service	
Proposed rule making:	
Anti-hog-cholera serum and hog-cholera virus	5879
Agriculture Department	
See Agricultural Marketing Service; Agricultural Research Service; Commodity Credit Corporation; Commodity Stabilization Service; Farmers Home Administration.	
Atomic Energy Commission	
Notices:	
American Mail Line, Ltd.; proposed issuance of byproduct and source material license to provide radioactive waste disposal service	5882
National Advisory Committee for Aeronautics; amendment to construction permit	5881
Regents of University of California and North American Aviation, Inc.; withdrawals of facility license applications	5882
Civil Aeronautics Administration	
Rules and regulations:	
Alterations:	
Civil airways; designation	5865
Continental control area, control areas, control zones, reporting points, and positive control route segments; designation (2 documents)	5870, 5872
Civil Aeronautics Board	
Rules and regulations:	
Aircraft dispatcher certificates	5864
Civil Service Commission	
Rules and regulations:	
International Atomic Energy Agency, employment with	5847

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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CONTENTS—Continued

Commerce Department — Page
See Civil Aeronautics Administration.
Notices:
Hebert, Raymond E.; statement of changes in financial interests — 5885

Commodity Credit Corporation
Rules and regulations:
Soybeans; 1958 crop loan and purchase agreement program — 5850

CONTENTS—Continued

Commodity Stabilization Service — Page
Rules and regulations:
Beet sugar; domestic producing areas:
Farm proportionate shares for 1958 crop:
Nevada — 5856
New Mexico — 5857
South Dakota — 5861
Texas — 5862
Proportionate share areas and farm proportionate shares for 1958 crop:
Idaho — 5853
Minnesota — 5854
Montana — 5855
North Dakota — 5858
Ohio — 5860

Customs Bureau
Rules and regulations:
Liquidation of duties; cordage exported from Cuba — 5873

Farmers Home Administration
Rules and regulations:
Supervised bank accounts; receipts for goods or services purchased — 5850

Federal Communications Commission
Notices:
Hearings, etc.:
Bay Area Electronic Associates and Sonoma County Broadcasters — 5886
Darwin Broadcasting Co. (KHCD) — 5885
Falcon Broadcasting Co. and Sierra Madre Broadcasting Co — 5887
Henderson County Broadcasting Co. (KBUD) and University Advertising Co. (2 documents) — 5885, 5886
Latin-American Broadcasting Corp. et al — 5885
Leavenworth Broadcasting Co. (KCLO) et al — 5885
Newark Broadcasting Corp. and WMGM Broadcasting Corp — 5887
Pacifica Foundation and University of Judaism — 5887
St. Anthony Television Corp — 5885
Stone, Arnold J., et al — 5885
International Telecommunication Union; revision of radio regulations (7 documents) — 5887–5889
Rules and regulations:
Industrial radio services; order granting exception to rule — 5878

Federal Power Commission
Notices:
Pacific Northwest Pipeline Corp. and El Paso Natural Gas Co.; consolidation and fixing of date for hearing — 5890

Food and Drug Administration
Rules and regulations:
Label declaration of d-erythro-ascorbic acid when it is an ingredient of a fabricated food — 5873

CONTENTS—Continued

Foreign Assets Control — Page
Notices:
Merchandise directly from Hong Kong and The Netherlands, certain; importation; available certifications — 5880
Rules and regulations:
Foreign assets control regulations; additions to list — 5874
Transaction control regulations; deletion from schedule — 5874

General Services Administration
Notices:
Quinine; proposed disposition of amount in national stockpile — 5881

Health, Education, and Welfare Department
See Food and Drug Administration; Public Health Service.

Interior Department
See also Land Management Bureau.
Notices:
Alaska; agreement classifying lands in Kenai National Moose Range for oil and gas leasing purposes — 5883

Internal Revenue Service
Proposed rule making:
Cigars and cigarettes; manufacturers, importers, and dealers — 5878

Interstate Commerce Commission
Notices:
Fourth section applications for relief — 5890
Motor carrier transfer proceedings — 5890

Labor Department
See Public Contracts Division.

Land Management Bureau
Rules and regulations:
Public land orders:
Alaska (2 documents) — 5877
Idaho — 5877

Public Contracts Division
Rules and regulations:
Minimum wage determinations; final decisions:
Drugs and Medicine industry — 5874
Surgical Instruments and Apparatus industry — 5875

Public Health Service
Rules and regulations:
Fellowships; applicability and purpose — 5876

Treasury Department
See also Customs Bureau; Foreign Assets Control; Internal Revenue Service.
Notices:
1½ percent Treasury Certificates of Indebtedness of Series D–1959; Tax Anticipation Series; offering of certificates — 5881

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

	Page
Title 3	
Chapter II (Executive orders):	
4226 (modified by PLO 1696)	5877
Title 5	
Chapter I:	
Part 26	5847
Title 6	
Chapter III:	
Part 303	5850
Chapter IV:	
Part 421	5850
Title 7	
Chapter VIII:	
Part 850 (9 documents)	5853–5858, 5860–5862
Chapter IX:	
Part 922	5863
Part 953	5863
Part 1003 (proposed)	5879
Title 9	
Chapter I:	
Part 131 (proposed)	5879
Title 14	
Chapter I:	
Part 27	5864
Chapter II:	
Part 600	5865
Part 601 (2 documents)	5870, 5872
Title 19	
Chapter I:	
Part 16	5873
Title 21	
Chapter I:	
Part 3	5873
Title 26 (1954)	
Chapter I:	
Part 270 (proposed)	5878
Title 31	
Chapter V:	
Part 500	5874
Part 505	5874
Title 41	
Chapter II:	
Part 202 (2 documents)	5874, 5875
Title 42	
Chapter I:	
Part 61	5876
Title 43	
Chapter I:	
Appendix (Public land orders):	
1173 (revoked in part by PLO 1698)	5877
1696	5877
1697	5877
1698	5877
Title 47	
Chapter I:	
Part 11	5878

in the Federal service in accordance with his right of reemployment is entitled to the rate of basic compensation to which he would have been entitled had he remained in the Federal service.

(b) *Officer.* An officer who is reemployed in the Federal position which he left or one of like seniority, status, and pay within 90 days of his separation from the Agency following a term of employment not exceeding the first three consecutive years of his entering the Agency is entitled to the rate of basic compensation to which he would have been entitled had he remained in the Federal service.

§ 26.206 *Retirement and insurance*—(a) *Coverage.* (1) To obtain retirement benefits for the term of employment with the Agency, an employee or officer covered by the Retirement Act shall, within ninety (90) days after the date he is separated from the Agency, pay to the Commission all necessary employee deductions and agency contributions for coverage under the Retirement Act for his term of employment with the Agency. Interest shall not be charged an employee or officer on any payment of necessary employee deductions and agency contributions. The amount of the employee deductions so paid shall be added to the employee's or officer's lump-sum credit in the civil service retirement and disability fund.

(2) To retain coverage under the Life Insurance Act during his term of employment with the Agency, an employee or officer covered by the Life Insurance Act shall currently pay employee deductions and agency contributions necessary for coverage under the Life Insurance Act for his term of employment with the Agency. Collections may be made under procedures which shall be determined in accordance with written agreements reached between accounting representatives of the Commission and the Agency.

(3) All retirement and insurance benefits and obligations shall be computed in the same manner as if the rate of basic compensation the employee or officer was receiving on the last day he was in his Federal position prior to employment with the Agency had continued without change.

(4) An employee or officer not covered by either the Retirement Act or Life Insurance Act in the Federal position which he last held or from which he separates to enter employment with the Agency shall not acquire such coverage or benefits based on employment with the Agency.

(b) *Death*—(1) *Coverage*—(i) *Employee.* An employee who dies during his term of employment with the Agency, or within ninety (90) days of separation therefrom, or following timely filing of application for reemployment after separation therefrom and prior to (*a*) reemployment in the Federal service or (*b*) filing of an appeal or the expiration of time limit for filing appeal, shall be deemed to have died in the Federal service.

(ii) *Officer.* An officer who dies during his term of employment or within ninety (90) days of his separation therefrom shall also be deemed to have died in the Federal service.

(2) *Service credit.* All periods of time specified in subparagraph (b) (1) of this section shall be creditable as Federal service, with all such periods of time other than the term of employment being counted as leave without pay. In the event an employee dies following ninety (90) days after separation without having made the retirement payments as required under § 26.206 (a) (1), no service credit shall be given for any of such periods.

§ 26.207 *Entitlement to reemployment.* An employee is entitled to reemployment if he meets the following conditions:

(a) He is separated, either voluntarily or involuntarily, from his term of employment without prejudice such as would reflect upon his suitability for further Federal service; and

(b) He makes application for reemployment to his former department (or its successor) within ninety (90) days from the date he is separated from his term of employment with the Agency.

§ 26.208 *Department obligation to reemploy.* An employee entitled to reemployment under this subpart shall be reemployed by his former department (or its successor) as promptly as possible but not later than thirty (30) days after receipt of his application for reemployment. Such reemployment shall be in the employee's former position, or in a position of like seniority, status, and pay.

§ 26.209 *Failure to reemploy*—(a) *Appeal from failure to reemploy.* (1) Should a department fail to reemploy an employee, it shall notify him in writing of the reasons and of his right to appeal within ten (10) days to the U. S. Civil Service Commission, Washington 25, D. C. The employee may file his appeal with the Commission not later than ten (10) days after receipt of notice denying reemployment.

(2) The Commission's decision on appeal is final and it shall be mandatory for the department to effect the action finally ordered by the Commission. Decisions favorable to the appellant may be made retroactively effective to the expiration of the department's thirty (30)-day time limit for effecting restoration. Adjudication of appeals will not be stopped by the death of the appellant.

§ 26.210 *Resumption of Federal service*—(a) *Service credit for Agency employment*—(1) *Employee.* An employee who is reemployed in the Federal service in accordance with his right of reemployment shall be given credit as Federal service for the period beginning with the term of employment with the Agency to the date of reemployment in the department. However, service credit shall not be given for Retirement Act purposes if the employee fails to comply with the requirements of § 26.206 (a) (1).

(2) *Officer.* An officer who is reemployed in the Federal service within 90 days after completion of his term of employment with the Agency shall be given credit as Federal service for his term of employment with the Agency. However, service credit shall not be given for Retirement Act purposes if the employee fails to comply with the requirements of § 26.206 (a) (1).

(b) *Reestablishment of sick leave account.* An employee who is reemployed through the exercise of his reemployment rights shall have his Federal sick leave account reestablished for credit or charge. Any other employee or officer shall have his sick leave account

reestablished for credit or charge, provided he returns to an appropriate leave system within 52 calendar weeks after the date he is separated from his term of employment with the Agency.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 58-5965; Filed, Aug. 1, 1958; 8:55 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter A—General Regulations

[FHA Instruction 402.1]

PART 303—SUPERVISED BANK ACCOUNTS

RECEIPTS FOR GOODS OF SERVICES PURCHASED

Section 303:5 (b) (2), Title 6, Code of Federal Regulations (22 F. R. 3215) is revised to allow notations on checks for goods or services purchased in lieu of a bill of sale, invoice or receipt and to provide for return of bills of sale, invoices and receipts to borrowers. The revised § 303.5 (b) (2) reads as follows:

§ 303.5 *Deposits and withdrawals.* * * *

(b) *Withdrawals.* * * *

(2) Ordinarily, a check will be countersigned before it is delivered to the payee. However, in justifiable circumstances such as when excessive travel on the part of the borrower or the Government would be involved, or the consummation of good purchases would be prevented, and the County Supervisor is assured the borrower can select goods and services in accordance with the plans, a check may be delivered to the payee by the borrower before being countersigned. When a check is delivered to the payee before being countersigned, the County Supervisor must make it clear to the borrower, and, when possible, clear to the payee, that such check will be countersigned only if the quantity and quality of items purchased are in accordance with approved plans. When a check is delivered to the payee before it is countersigned, it will bear the following legend in addition to the legend for countersignature: "Valid only upon countersignature of Farmers Home Administration." In such case, the check must be presented by the payee or his representative to the County Office of the Farmers Home Administration servicing the account for the required countersignature. Such a check must be accompanied by a bill of sale, invoice, or receipt signed by the borrower, clearly showing the goods or services purchased by the borrower and the cost thereof, or similar information must be indicated on the check. For real estate loans, bills of sale, invoices, and receipts will be returned to borrowers after all items of farm development have been completed, and for other types of loans, they will be returned to borrowers after review by a County Office employee authorized to countersign checks. Such a check is not valid unless countersigned and should not be placed in banking channels before the countersignature is affixed.

(R. S. 161, secs. 41, 6, 50 Stat. 528, as amended, 870, sec. 510, 63 Stat. 437; 5 U. S. C. 22, 7 U. S. C. 1015, 16 U. S. C. 590w, 42 U. S. C. 1480)

Dated: July 28, 1958.

[SEAL] DARREL A. DUNN,
Acting Administrator,
Farmers Home Administration.

[F. R. Doc. 58-5926; Filed, Aug. 1, 1958; 8:49 a. m.]

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1958 C. C. C. Grain Price Support Bulletin 1, Supp. 2, Soybeans]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1958-CROP SOYBEAN LOAN AND PURCHASE AGREEMENT PROGRAM

The 1958 C. C. C. Grain Price Support Bulletin 1 (23 F. R. 2663 and 5257) issued by the Commodity Credit Corporation and the Commodity Stabilization Service and containing the regulations of a general nature with respect to price support operations for certain grains and other commodities produced in 1958 was supplemented by 1958 C. C. C. Grain Price Support Bulletin 1, Supplement 1, Soybeans (23 F. R. 4441) containing specific requirements, applicable to price support operations on the 1958 soybean crop. These regulations are further supplemented by the addition of § 421.3437 as follows:

§ 421.3437 *Support rates.* Basic county support rates for soybeans placed under loan and for soybeans delivered under purchase agreement, and the schedule of premiums and discounts are set forth in this section. Farm-storage and warehouse-storage loans, and purchases under purchase agreements will be made on the basis of the support rate established for the county in which the soybeans were produced.

(a) *Basic county support rates.* (1) Basic county support rates per bushel for soybeans of the classes Green soybeans and Yellow soybeans grading No. 2 or better, and containing from 13.8 to 14.0 percent moisture, are as follows:

County	Rate per bushel
ALABAMA	
All counties	$2.03
ARIZONA	
All counties	$1.95
ARKANSAS	
All counties	$2.06
CALIFORNIA	
All counties	$1.95
DELAWARE	
All counties	$2.04
FLORIDA	
All counties	$2.03
GEORGIA	
All counties	$2.04

ILLINOIS

County	Rate per bushel	County	Rate per bushel
Adams	$2.12	Lee	$2.12
Alexander	2.09	Livingston	2.15
Bond	2.14	Logan	2.15
Boone	2.13	McDonough	2.12
Brown	2.12	McHenry	2.14
Bureau	2.12	McLean	2.15
Calhoun	2.12	Macon	2.15
Carroll	2.12	Macoupin	2.14
Cass	2.13	Madison	2.13
Champaign	2.15	Marion	2.13
Christian	2.15	Marshall	2.14
Clark	2.14	Mason	2.13
Clay	2.13	Massac	2.10
Clinton	2.12	Menard	2.13
Coles	2.15	Mercer	2.12
Cook	2.16	Monroe	2.10
Crawford	2.13	Montgomery	2.14
Cumberland	2.15	Morgan	2.14
De Kalb	2.15	Moultrie	2.15
De Witt	2.15	Ogle	2.12
Douglas	2.15	Peoria	2.13
Du Page	2.15	Perry	2.10
Edgar	2.15	Piatt	2.15
Edwards	2.11	Pike	2.12
Effingham	2.15	Pope	2.10
Fayette	2.15	Pulaski	2.09
Ford	2.15	Putnam	2.13
Franklin	2.10	Randolph	2.10
Fulton	2.12	Richland	2.13
Gallatin	2.10	Rock Island	2.12
Greene	2.13	St. Clair	2.11
Grundy	2.15	Saline	2.10
Hamilton	2.11	Sangamon	2.15
Hancock	2.12	Schuyler	2.12
Hardin	2.10	Scott	2.13
Henderson	2.12	Shelby	2.15
Henry	2.12	Stark	2.13
Iroquois	2.15	Stephenson	2.12
Jackson	2.10	Tazewell	2.14
Jasper	2.14	Union	2.09
Jefferson	2.11	Vermilion	2.15
Jersey	2.12	Wabash	2.11
Jo Daviess	2.12	Warren	2.12
Johnson	2.09	Washington	2.11
Kane	2.15	Wayne	2.11
Kankakee	2.15	White	2.10
Kendall	2.15	Whiteside	2.12
Knox	2.13	Will	2.15
Lake	2.15	Williamson	2.10
La Salle	2.15	Winnebago	2.12
Lawrence	2.12	Woodford	2.14

INDIANA

Adams	$2.09	Jackson	$2.08
Allen	2.10	Jasper	2.12
Bartholomew	2.08	Jay	2.08
Benton	2.14	Jefferson	2.07
Blackford	2.08	Jennings	2.07
Boone	2.10	Johnson	2.08
Brown	2.08	Knox	2.10
Carroll	2.10	Kosciusko	2.09
Cass	2.09	Lagrange	2.10
Clark	2.07	Lake	2.14
Clay	2.10	La Porte	2.11
Clinton	2.10	Lawrence	2.09
Crawford	2.07	Madison	2.08
Daviess	2.09	Marion	2.09
Dearborn	2.07	Marshall	2.10
Decatur	2.08	Martin	2.09
De Kalb	2.10	Miami	2.08
Delaware	2.08	Monroe	2.09
Dubois	2.08	Montgomery	2.12
Elkhart	2.09	Morgan	2.09
Fayette	2.08	Newton	2.14
Floyd	2.07	Noble	2.10
Fountain	2.13	Ohio	2.07
Franklin	2.08	Orange	2.08
Fulton	2.09	Owen	2.09
Gibson	2.10	Parke	2.11
Grant	2.08	Perry	2.07
Greene	2.10	Pike	2.09
Hamilton	2.09	Porter	2.13
Hancock	2.08	Posey	2.09
Harrison	2.07	Pulaski	2.11
Hendricks	2.09	Putnam	2.10
Henry	2.08	Randolph	2.08
Howard	2.09	Ripley	2.07
Huntington	2.09	Rush	2.08

INDIANA—Continued

County	Rate per bushel	County	Rate per bushel
St. Joseph	$2.10	Vanderburgh	$2.09
Scott	2.07	Vermillion	2.13
Shelby	2.08	Vigo	2.12
Spencer	2.07	Wabash	2.08
Starke	2.11	Warren	2.13
Steuben	2.10	Warrick	2.08
Sullivan	2.11	Washington	2.07
Switzerland	2.07	Wayne	2.08
Tippecanoe	2.12	Wells	2.09
Tipton	2.09	White	2.12
Union	2.08	Whitley	2.10

IOWA

County	Rate per bushel	County	Rate per bushel
Adair	$2.05	Jefferson	$2.08
Adams	2.04	Johnson	2.09
Allamakee	2.06	Jones	2.09
Appanoose	2.06	Keokuk	2.08
Audubon	2.05	Kossuth	2.04
Benton	2.09	Lee	2.09
Black Hawk	2.07	Linn	2.09
Boone	2.06	Louisa	2.09
Bremer	2.06	Lucas	2.06
Buchanan	2.08	Lyon	2.02
Buena Vista	2.04	Madison	2.05
Butler	2.06	Mahaska	2.07
Calhoun	2.05	Marion	2.07
Carroll	2.05	Marshall	2.08
Cass	2.04	Mills	2.03
Cedar	2.10	Mitchell	2.04
Cerro Gordo	2.05	Monona	2.03
Cherokee	2.03	Monroe	2.06
Chickasaw	2.05	Montgomery	2.03
Clarke	2.05	Muscatine	2.10
Clay	2.04	O'Brien	2.03
Clayton	2.07	Osceola	2.03
Clinton	2.10	Page	2.03
Crawford	2.04	Palo Alto	2.04
Dallas	2.06	Plymouth	2.02
Davis	2.07	Pocahontas	2.04
Decatur	2.05	Polk	2.07
Delaware	2.08	Pottawattamie	2.03
Des Moines	2.09	Poweshiek	2.08
Dickinson	2.03	Ringgold	2.04
Dubuque	2.08	Sac	2.05
Emmet	2.03	Scott	2.10
Fayette	2.07	Shelby	2.04
Floyd	2.05	Sioux	2.02
Franklin	2.06	Story	2.07
Fremont	2.03	Tama	2.08
Greene	2.05	Taylor	2.04
Grundy	2.07	Union	2.04
Guthrie	2.05	Van Buren	2.08
Hamilton	2.06	Wapello	2.07
Hancock	2.04	Warren	2.06
Hardin	2.07	Washington	2.08
Harrison	2.03	Wayne	2.06
Henry	2.08	Webster	2.06
Howard	2.04	Winnebago	2.03
Humboldt	2.05	Winneshiek	2.05
Ida	2.04	Woodbury	2.03
Iowa	2.09	Worth	2.04
Jackson	2.10	Wright	2.06
Jasper	2.08		

KANSAS

County	Rate per bushel	County	Rate per bushel
Allen	$2.02	Greenwood	$2.01
Anderson	2.03	Harper	1.98
Atchison	2.03	Harvey	1.99
Bourbon	2.02	Jackson	2.02
Brown	2.02	Jefferson	2.03
Butler	2.00	Jewell	1.99
Chase	2.00	Johnson	2.03
Chautauqua	1.99	Kingman	1.98
Cherokee	2.01	Labette	2.00
Clay	2.01	Leavenworth	2.03
Cloud	2.00	Lincoln	1.99
Coffey	2.02	Linn	2.03
Cowley	1.99	Lyon	2.01
Crawford	2.01	McPherson	1.99
Dickinson	2.00	Marion	2.00
Doniphan	2.03	Marshall	2.01
Douglas	2.03	Miami	2.03
Elk	2.00	Mitchell	1.99
Ellsworth	1.98	Montgomery	1.99
Franklin	2.03	Morris	2.01
Geary	2.01	Nemaha	2.02

KANSAS—Continued

County	Rate per bushel	County	Rate per bushel
Neosho	$2.01	Sedgwick	$1.99
Osage	2.02	Shawnee	2.03
Osborne	1.98	Smith	1.98
Ottawa	2.00	Sumner	1.98
Pottawatomie	2.01	Wabaunsee	2.02
Reno	1.98	Washington	2.01
Republic	2.00	Wilson	2.00
Rice	1.98	Woodson	2.01
Riley	2.01	Wyandotte	2.03
Russell	1.98	All other counties	1.97
Saline	1.99		

KENTUCKY

All counties	$2.08

LOUISIANA

All counties	$2.06

MARYLAND

All counties	$2.04

MICHIGAN

County	Rate per bushel	County	Rate per bushel
Allegan	$2.04	Lapeer	$2.04
Arenac	2.02	Lenawee	2.08
Barry	2.04	Livingston	2.06
Bay	2.02	Macomb	2.06
Berrien	2.07	Mecosta	2.02
Branch	2.07	Midland	2.02
Calhoun	2.06	Monroe	2.08
Cass	2.06	Montcalm	2.03
Clare	2.02	Muskegon	2.02
Clinton	2.04	Newaygo	2.02
Eaton	2.05	Oakland	2.06
Genesee	2.04	Oceana	2.02
Gladwin	2.02	Ottawa	2.03
Gratiot	2.03	Saginaw	2.03
Hillsdale	2.08	St. Clair	2.05
Huron	2.02	St. Joseph	2.06
Ingham	2.06	Sanilac	2.03
Ionia	2.04	Shiawassee	2.04
Isabella	2.02	Tuscola	2.03
Jackson	2.07	Van Buren	2.05
Kalamazoo	2.05	Washtenaw	2.07
Kent	2.03	Wayne	2.07

MINNESOTA

County	Rate per bushel	County	Rate per bushel
Aitkin	$1.98	Mille Lacs	$2.00
Anoka	2.02	Morrison	1.99
Becker	1.96	Mower	2.04
Benton	2.00	Murray	2.01
Big Stone	1.99	Nicollet	2.02
Blue Earth	2.03	Nobles	2.02
Brown	2.02	Norman	1.96
Carver	2.02	Olmsted	2.04
Cass	1.97	Otter Tail	1.97
Chippewa	2.00	Pennington	1.96
Chisago	2.02	Pine	2.00
Clay	1.96	Pipestone	2.01
Clearwater	1.96	Polk	1.96
Cottonwood	2.02	Pope	1.99
Crow Wing	1.98	Ramsey	2.03
Dakota	2.03	Red Lake	1.96
Dodge	2.04	Redwood	2.01
Douglas	1.98	Renville	2.01
Faribault	2.03	Rice	2.04
Fillmore	2.04	Rock	2.01
Freeborn	2.04	Roseau	1.95
Goodhue	2.04	Scott	2.03
Grant	1.98	Sherburne	2.02
Hennepin	2.03	Sibley	2.02
Houston	2.04	Stearns	2.00
Hubbard	1.96	Steele	2.04
Isanti	2.02	Stevens	1.99
Jackson	2.02	Swift	2.00
Kanabec	2.01	Todd	1.98
Kandiyohi	2.00	Traverse	1.98
Kittson	1.95	Wabasha	2.04
Lac Qui Parle	2.00	Wadena	1.97
Le Sueur	2.03	Waseca	2.03
Lincoln	2.01	Washington	2.03
Lyon	2.01	Watonwan	2.03
McLeod	2.02	Wilkin	1.97
Mahnomen	1.96	Winona	2.04
Marshall	1.95	Wright	2.02
Martin	2.03	Yellow Medicine	2.00
Meeker	2.01		

County	Rate per bushel
MISSISSIPPI	
All counties	$2.06

MISSOURI

County	Rate per bushel	County	Rate per bushel
Adair	$2.07	Lincoln	$2.08
Andrew	2.04	Linn	2.06
Atchison	2.04	Livingston	2.05
Audrain	2.08	McDonald	2.02
Barry	2.02	Macon	2.07
Barton	2.02	Madison	2.06
Bates	2.04	Maries	2.05
Benton	2.04	Marion	2.09
Bollinger	2.07	Mercer	2.05
Boone	2.07	Miller	2.05
Buchanan	2.04	Mississippi	2.07
Butler	2.07	Moniteau	2.06
Caldwell	2.04	Monroe	2.08
Callaway	2.07	Montgomery	2.07
Camden	2.05	Morgan	2.05
Cape Girardeau	2.07	New Madrid	2.07
Carroll	2.05	Newton	2.02
Carter	2.06	Nodaway	2.04
Cass	2.04	Oregon	2.05
Cedar	2.03	Osage	2.06
Chariton	2.06	Ozark	2.04
Christian	2.03	Pemiscot	2.07
Clark	2.09	Perry	2.07
Clay	2.04	Pettis	2.05
Clinton	2.04	Phelps	2.05
Cole	2.06	Pike	2.09
Cooper	2.06	Platte	2.04
Crawford	2.06	Polk	2.04
Dade	2.02	Pulaski	2.05
Dallas	2.04	Putnam	2.06
Daviess	2.04	Ralls	2.09
De Kalb	2.04	Randolph	2.07
Dent	2.05	Ray	2.04
Douglas	2.04	Reynolds	2.05
Dunklin	2.07	Ripley	2.06
Franklin	2.07	St. Charles	2.08
Gasconade	2.06	St. Clair	2.04
Gentry	2.04	St. Francois	2.07
Greene	2.03	St. Louis	2.08
Grundy	2.05	St. Genevieve	2.07
Harrison	2.04	Saline	2.05
Henry	2.04	Schuyler	2.07
Hickory	2.04	Scotland	2.08
Holt	2.04	Scott	2.07
Howard	2.06	Shannon	2.05
Howell	2.05	Shelby	2.08
Iron	2.05	Stoddard	2.07
Jackson	2.04	Stone	2.03
Jasper	2.02	Sullivan	2.06
Jefferson	2.07	Taney	2.04
Johnson	2.04	Texas	2.05
Knox	2.08	Vernon	2.03
Laclede	2.04	Warren	2.07
Lafayette	2.04	Washington	2.06
Lawrence	2.02	Wayne	2.06
Lewis	2.09	Webster	2.04
		Worth	2.04
		Wright	2.04

NEBRASKA

County	Rate per bushel	County	Rate per bushel
Adams	$1.98	Merrick	$1.99
Antelope	1.99	Nance	1.99
Boone	1.99	Nemaha	2.02
Boyd	1.98	Nuckolls	1.99
Burt	2.02	Otoe	2.02
Butler	2.02	Pawnee	2.02
Cass	2.02	Pierce	1.99
Cedar	2.00	Platte	2.00
Clay	1.99	Polk	2.00
Colfax	2.01	Richardson	2.02
Cuming	2.01	Saline	2.01
Dakota	2.01	Sarpy	2.02
Dixon	2.01	Saunders	2.02
Dodge	2.02	Seward	2.01
Douglas	2.02	Stanton	2.00
Fillmore	2.00	Thayer	2.00
Gage	2.01	Thurston	2.01
Hall	1.98	Washington	2.02
Hamilton	1.99	Wayne	2.00
Jefferson	2.01	Webster	1.98
Johnson	2.02	York	2.00
Knox	1.99	All other counties	1.97
Lancaster	2.02		
Madison	1.99		

County	Rate per bushel
New Jersey	
All counties	$2.05
New Mexico	
All counties	$1.95
New York	
All counties	$2.04
North Carolina	
All counties	$2.04
North Dakota	
Barnes	$1.95
Cass	1.96
Grand Forks	1.95
Ransom	1.95
Richland	1.96
Sargent	$1.95
Steele	1.95
Traill	1.96
All other counties	1.94
Ohio	
Adams	$2.07
Allen	2.10
Ashland	2.09
Ashtabula	2.10
Athens	2.08
Auglaize	2.09
Belmont	2.08
Brown	2.07
Butler	2.07
Carroll	2.09
Champaign	2.08
Clark	2.07
Clermont	2.07
Clinton	2.07
Columbiana	2.09
Coshocton	2.09
Crawford	2.10
Cuyahoga	2.10
Darke	2.08
Defiance	2.11
Delaware	2.09
Erie	2.11
Fairfield	2.09
Fayette	2.07
Franklin	2.09
Fulton	2.11
Gallia	2.07
Geauga	2.10
Greene	2.07
Guernsey	2.09
Hamilton	2.07
Hancock	2.10
Hardin	2.09
Harrison	2.09
Henry	2.11
Highland	2.07
Hocking	2.08
Holmes	2.09
Huron	2.10
Jackson	2.07
Jefferson	2.09
Knox	2.09
Lake	2.10
Lawrence	2.07
Licking	$2.09
Logan	2.09
Lorain	2.10
Lucas	2.11
Madison	2.08
Mahoning	2.09
Marion	2.10
Medina	2.10
Meigs	2.07
Mercer	2.09
Miami	2.08
Monroe	2.07
Montgomery	2.07
Morgan	2.08
Morrow	2.10
Muskingum	2.09
Noble	2.08
Ottawa	2.11
Paulding	2.11
Perry	2.09
Pickaway	2.08
Pike	2.07
Portage	2.10
Preble	2.07
Putnam	2.11
Richland	2.10
Ross	2.07
Sandusky	2.11
Scioto	2.07
Seneca	2.11
Shelby	2.09
Stark	2.09
Summit	2.10
Trumbull	2.10
Tuscarawas	2.09
Union	2.09
Van Wert	2.10
Vinton	2.08
Warren	2.07
Washington	2.07
Wayne	2.09
Williams	2.11
Wood	2.11
Wyandot	2.10
Oklahoma	
All counties	$2.00
Pennsylvania	
All counties	$2.04
South Carolina	
All counties	$2.04
South Dakota	
Aurora	$1.96
Beadle	1.96
Bon Homme	1.98
Brookings	1.98
Brule	1.96
Charles Mix	1.97
Clay	1.99
Codington	1.96
Davison	1.97
Dueul	1.97
Douglas	1.97
Grant	1.97
Hamlin	1.96
Hanson	1.97
Hutchinson	1.98
Jerauld	$1.96
Kingsbury	1.97
Lake	1.98
Lincoln	2.00
McCook	1.98
Miner	1.97
Minnehaha	1.99
Moody	1.98
Roberts	1.96
Sanborn	1.96
Turner	1.99
Union	2.00
Yankton	1.99
All other counties	1.95
Tennessee	
All counties	$2.07
Texas	
All counties	$2.00
Virginia	
All counties	$2.04
West Virginia	
All counties	$2.04
Wisconsin	
Adams	$2.06
Barron	2.03
Brown	2.05
Buffalo	2.04
Burnett	2.02
Calumet	2.06
Chippewa	2.03
Clark	2.03
Columbia	2.08
Crawford	2.07
Dane	2.09
Dodge	2.09
Door	2.04
Douglas	2.02
Dunn	2.04
Eau Claire	2.04
Fond du Lac	2.08
Grant	2.08
Green	2.10
Green Lake	2.07
Iowa	2.08
Jackson	2.05
Jefferson	2.10
Juneau	2.06
Kenosha	2.12
Kewaunee	2.04
La Crosse	2.05
Lafayette	2.09
Langlade	2.03
Lincoln	2.02
Manitowoc	2.06
Marathon	2.03
Marinette	2.03
Marquette	$2.07
Milwaukee	2.10
Monroe	2.05
Oconto	2.04
Oneida	2.02
Outagamie	2.05
Ozaukee	2.09
Pepin	2.04
Pierce	2.04
Polk	2.03
Portage	2.05
Price	2.02
Racine	2.12
Richland	2.07
Rock	2.11
Rusk	2.02
St. Croix	2.03
Sauk	2.07
Sawyer	2.02
Shawano	2.04
Sheboygan	2.08
Taylor	2.02
Trempealeau	2.04
Vernon	2.06
Walworth	2.12
Washburn	2.02
Washington	2.09
Waukesha	2.10
Waupaca	2.05
Waushara	2.06
Winnebago	2.06
Wood	2.05

(2) *Applicability of weed control provisions.* Where the State committee determines that State, district or county weed control laws, as administered, affect the soybean crop, the support rate in the case of farm storage shall be 10 cents below the applicable county support rate for the county in which the soybeans were produced unless the producer obtains a certificate from the appropriate weed control official indicating that the soybeans comply with the weed control laws. In the case of warehouse storage, whenever the State committee of the State in which the soybeans are stored determines that State, district or county weed control laws, as administered, affect soybeans stored in approved warehouses, the rate shall be 10 cents below the applicable support rate for the county in which the soybeans were produced unless the producer obtains a certificate from either the appropriate State, county or district weed control official or the storing warehouseman that the soybeans comply with the weed control laws, and in the case of the warehouseman, that he will save CCC harmless from loss or penalty because of the weed control laws. The certificate of the warehouseman may be in substantially the following form:

CERTIFICATION

This is to certify that the grain evidenced by warehouse receipt No. ------ issued to ---------- is not subject to seizure or other action under weed control laws or regulations in effect at point of storage. It is further certified and agreed that should such grain be taken over by CCC in settlement of a loan or be purchased under the purchase agreement program that the undersigned will save CCC from loss or penalty under weed control laws or regulations in effect at the point the grain was stored under the above warehouse receipt.

---------- (Signature)

---------- (Address)

---------- (Date)

(b) *Discounts and premiums*—(1) *Farm-storage.* In the case of eligible soybeans placed under farm-storage loan the applicable cumulative discounts contained in this paragraph shall be applied to the basic rate at the time the loan is completed. Premiums for low moisture content shall not be applied until time of settlement. In the case of eligible soybeans delivered from farm-storage under purchase agreement, the applicable discounts and premiums shall be applied to the basic rate at the time of settlement.

(2) *Warehouse storage.* In the case of warehouse-storage loans, the applicable discounts and premiums for eligible soybeans shall be applied to the basic rate at the time the loan is completed. In the case of eligible soybeans represented by warehouse receipts tendered to C. C. C. under purchase agreements, the applicable discounts and premiums shall be applied to the basic rate at the time of settlement.

(3) *Classification discount.* The support rates for soybeans of the classes Black Soybeans, Brown Soybeans, and Mixed Soybeans shall be 25 cents per bushel less than the support rates for the classes Green Soybeans and Yellow Soybeans.

(4) *Discounts for test weight per bushel, splits, and damaged kernels.* The following discounts are cumulative and apply to all classes of soybeans:

Test weight per bushel	Discount	Splits	Discount	Damaged kernels [2]		Discount
				Heat	Total	
Pounds [1]	*Cents per bushel*	*Percent* [1]	*Cents per bushel*	*Percent* [1]	*Percent* [1]	*Cents per bushel*
53.0-53.9	½	20.1-25.0	½	0.6-0.7	3.1-4.0	½
52.0-52.9	1	25.1-30.0	1	0.8-1.0	4.1-5.0	1
51.0-51.9	1½	30.1-35.0	1½	1.1-1.5	5.1-6.0	1½
50.0-50.9	2	35.1-40.0	2	1.6-2.1	6.1-7.0	2
49.0-49.9	2½			2.2-3.0	7.1-8.0	2½

[1] The figures in these columns are inclusive.
[2] Use column which yields the higher applicable discount.

(5) *Premiums for low moisture content.* The following premiums are applicable to all classes of soybeans.

Moisture (percent)	Premium (cents per bushel)
12.2 or less	4
12.3 to 12.7 inclusive	3
12.8 to 13.2 inclusive	2
13.3 to 13.7 inclusive	1
13.8 to 14.0 inclusive	0

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Intreprets or applies sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053; 15 U. S. C. 714c, 7 U. S. C. 1447, 1421)

Issued this 29th day of July 1958.

[SEAL] CLARENCE L. MILLER,
Acting Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 58-5907; Filed, Aug. 1, 1958; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter G—Determination of Proportionate Shares

[Sugar Determination 850.76, as Amended, Supp. 9]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

IDAHO PROPORTIONATE SHARE AREAS AND FARM PROPORTIONATE SHARES FOR 1958 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1958 Crop (22 F. R. 8107, 8175, 9877) the Agricultural Stabilization and Conservation Idaho State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 86,965 acres established for Idaho by the determination. Copies of these bases and procedures are available for public inspection at the office of such committee at 1524 Vista Street, Boise, Idaho, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Idaho. These bases and procedures incorporate the following:

§ 850.85 *Idaho*—(a) *Proportionate share areas.* Idaho shall be divided into five proportionate share areas as served by beet sugar companies. These areas shall be designated as follows: Amalgamated, Nampa-Nyssa; Amalgamated, Twin Falls-Rupert, and Layton; Utah-Idaho; Franklin County; and American Crystal. Acreage allotments for these areas shall be computed by applying to the planted sugar beet acreage records for each area a weighting of 80 percent to the average acreage for the crops of 1950 through 1954, as a measure of "past production" and a weighting of 20 percent to the largest acreage of any of the crops of 1950 through 1954, as a measure of "ability to produce", with a floor of 92.588 percent of the 1953-54 average acreage and with pro-rata adjustments to a total of 86,965 acres. For the American Crystal Area, this computation resulted in an allotment of 235 acres. Since no requests for shares were filed in this area, the 235 acres were pro-rated to the other four areas on the basis of their respective allotments. The adjusted allotments were as follows: Amalgamated, Nampa-Nyssa Area—31,575 acres; Amalgamated, Twin Falls-Rupert, and Layton Area—35,293 acres; Utah-Idaho Area—15,076 acres; and Franklin County Area—5,021 acres.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from area allotments as follows: For new producers—Amalgamated, Nampa-Nyssa Area—400 acres; Amalgamated, Twin Falls-Rupert, and Layton Area—440 acres; Franklin County Area—64 acres; and Utah-Idaho Area—155 acres; for appeals—Amalgamated, Nampa-Nyssa Area—315 acres; Amalgamated, Twin Falls-Rupert, and Layton Area—352 acres; Franklin County Area—50 acres; and Utah-Idaho Area—150 acres. For making adjustments in initial proportionate shares: Amalgamated Nampa-Nyssa Area—107 acres; Amalgamated, Twin Falls-Rupert, and Layton Area—54 acres; Utah-Idaho Area—186.9 acres; and Franklin County Area—78.8 acres.

(c) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC county office on form SU-100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date for such filing, as provided in § 850.76. If a preliminary request for a tentative farm proportionate share is filed, a fully completed form SU-100 shall be filed by March 18, 1958, before a proportionate share may be established for the farm. However, requests for proportionate shares may be accepted after such dates and shares may be established if the county committee determines that in any such case the farm operator was prevented from filing a complete form SU-100 by such dates because of absence, illness or other reasons beyond his control.

(d) *Establishment of individual farm proportionate shares*—(1) *For old producers*—(i) *Farm bases.* For each farm in the Amalgamated, Nampa-Nyssa Area whose opeartor is a tenant having a personal accredited acreage during at least one of the crop years 1955-57, the 1958 base shall be determined by applying a weighting of 80 percent to the 4 year average of the operator's personal accredited acreage record during the base period (1954-57) and a weighting of 20 percent to the highest year in such base period, or by applying the above weightings in the same manner to the accredited acreage record of sugar beets on the farm, whichever gives the higher base. If the operator is the owner of the farm or is a tenant without a personal accredited acreage record in at least one of the crop years 1955-57, and the farm has such a record during at least one of such crop years, the base shall be determined by applying the above weightings to the accredited acreage record of the farm. The 1958 farm base for a farm operated by a tenant having a personal accredited acreage record as a new producer in 1955, 1956, or 1957 shall equal his most recent year's accredited acreage, but not to exceed his most recent established share. For each farm in any of the other proportionate share areas having an accredited acreage record for at least one of the years 1955-57, the 1958 farm base shall be the sum of 80 percent of the 4-year average of the accredited acreage record of sugar beets on the farm during the base period (1954-57) and 20 percent of the highest year in such base period. The 1958 farm base for a farm for which a new producer share was established in 1955, 1956 or 1957 shall equal the most recent years accredited acreage for the farm, but not to exceed the most recent established share.

(2) *Initial proportionate shares.* For each of the Amalgamated, Twin Falls-Rupert and Layton, and the Utah-Idaho areas the total of individual farm bases for old-producer farms, as established pursuant to this paragraph, is more than the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, initial proportionate shares shall be established from the farm bases in each proportionate share area by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides. For each of the Amalgamated, Nampa-Nyssa and the Franklin County areas, the total of individual farm bases for old producers, as established pursuant to this paragraph is equal to the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly the initial proportionate share shall coincide with the requested acreages for farms for which the respective requested acreages are equal to or less than farm bases, and for all other farms, initial shares shall be computed by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides, and the total of the initial shares established in accordance with the preceding part of this subparagraph.

(3) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration the availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(e) *Establishment of individual proportionate shares for new producers.* Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1958-crop year by new producers (as defined in § 850.76) by taking into consideration the avail-

ability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(f) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.76 applicable to appeals.

(g) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment for each proportionate share area from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1958-crop season. However, any acreage released by producers prior to March 1, 1958 in the Amalgamated Nampa-Nyssa, and Franklin County areas, and prior to March 15, 1958 in the Amalgamated, Twin Falls-Rupert, and Layton, and Utah-Idaho areas, shall be used to increase shares of small producers (less than 5 acres) to 5 acres, or the acreage requested, whichever is smaller, so as to promote the more efficient operation of farms. In increasing such small producer shares, the State Committee shall take into consideration the size of beet operations for small farms in the area, the type of operations in the area, and other pertinent factors relating to efficient sugar beet production.

(h) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on form SU–103, Notice of Farm Proportionate Share—1958 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a form SU–103–A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a form SU–103–B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(i) *Redetermination of share.* If the Agricultural Stabilization and Conservation County Committee determines that the proportionate share for any farm was established with consideration for the personal history of a person who had no interest or did not acquire any interest in such farm as a tenant, or who was not the operator of the farm at the time of planting sugar beets on the farm, the State Committee shall be notified of the circumstances and the actual operator of the farm shall be given an opportunity to file a request for a share for such farm. Pursuant to such a request, the proportionate share for the farm shall be redetermined on the basis of the personal history of such actual operator, the farm history, or new producer procedure, whichever is applicable, even though a downward adjustment to zero acres may be required. The actual farm operator shall be furnished a form SU–103–A setting forth the redetermined share for the farm and he shall also be furnished a statement explaining the reasons for the adjustment. A copy of such statement shall be furnished the person to whom the original Form SU–103 was issued.

(j) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.76.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Idaho State Committee for determining farm proportionate shares in Idaho in accordance with the determination of proportionate shares for the 1958 crop of sugar beets, as issued by the Secretary of Agriculture.

Idaho is again divided into the same five areas. Advisory committees, including grower and processor representatives, are utilized. In establishing proportionate shares for old producers, the factors of "past production" and "ability to produce" sugar beets are measured by applying formulas to the accredited acreages for the crop years 1954–57.

The procedure for establishing farm shares for new producers meets the related requirements of § 850.76.

The bases and procedures for making adjustments in initial proportionate shares, for adjusting shares subsequently because of unused acreage, and appeals, are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 921; 7 U. S. C. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930 as amended; 7 U. S. C. 1131, 1132)

Dated: July 15, 1958.

[SEAL] GLEN W. HENDERSON,
Chairman, Agricultural Stabilization and Conservation Idaho State Committee.

Approved: July 25, 1958.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F. R. Doc. 58-5959; Filed, Aug. 1, 1958; 8:54 a. m.]

[Sugar Determination 850.76, as Amended, Supp. 11]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

MINNESOTA PROPORTIONATE SHARE AREAS AND FARM PROPORTIONATE SHARES FOR 1958 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1958 Crop (22 F. R. 8107, 8175, 9877; 23 F. R. 4325) the Agricultural Stabilization and Conservation Minnesota State Committee has issue the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 73,070 acres established for Minnesota by the determination. Copies of these bases and procedures are available for public inspection at the office of such committee at Room 1104, Main Post Office Building, St. Paul, Minnesota, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Minnesota. These bases and procedures incorporate the following:

§ 850.87 *Minnesota*—(a) *Proportionate share areas.* Minnesota shall be divided into two proportionate share areas comprising the East Grand Forks-Crookston-Moorhead and the Chaska-Mason City factory districts of the State. These areas shall be designated as the "Northwest Area" and the "Southern Area", respectively. Acreage allotments for these areas shall be computed by applying to the planted sugar beet acreage record for each area a weighting of 90 percent to the average acreage for the crops of 1950 through 1954, as a measure of "past production", and a weighting of 10 percent to the largest acreage of any of the crops of 1950 through 1954, as a measure of "ability to produce" with pro rata adjustments to a total of 73,070 acres. Acreage allotments computed as aforestated are established as follows: Northwest Area—59,048 acres and Southern Area—14,022 acres.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from area allotments as follows: Northwest Area—450 acres for new producers, 141 acres for small producers, 591 acres for appeals and 0 acres for adjustments in initial shares; Southern Area—1,222 acres for new producers, 140 acres for appeals, and 2,085 acres for adjustments in initial shares.

(c) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC county office on Form SU–100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date for such filing, provided in § 850.76. If a preliminary request for a tentative farm proportionate share is filed, a fully completed Form SU–100 shall be filed by April 1, 1958, before a proportionate share may be established for the farm. However, requests for proportionate shares may be accepted after such dates and shares may be established if the county committee determines that in any such case the farm operator was prevented from filing a completed Form SU–100 by such dates because of absence, illness or other reasons beyond his control.

(d) *Establishment of individual farm proportionate shares for old producers*—(1) *Farm bases.* For each farm in each proportionate share area whose operator is a tenant, having a personal accredited

acreage record for any of the crop years 1955–57, the farm base shall equal the most-recently established farm share for the farm which such tenant last operated. For each farm having an accredited acreage record for at least one of the above crop years, which is operated by the owner or by a tenant without a personal production record for at least one of such years, the farm base shall equal the portion of the most-recently established share for the farm representing the landowner's share of the crops covered by such share.

(2) *Initial proportionate shares.* For each proportionate share area, the total of individual farm bases for old-producer farms, as established pursuant to this paragraph, is more than the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, initial proportionate shares shall be established from the farm bases in each proportionate share area by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides.

(3) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities, and the production experience of the operator.

(e) *Establishment of individual proportionate shares for new producers.* Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1958-crop year by new producers (as defined in § 850.76) by taking into consideration the availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(f) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.76, applicable to appeals.

(g) *Acreages for small producers.* In the Northwest Area, the set-aside for "small producers" of 141 acres shall be distributed to small producers (less than average for the area). Any acreage released in either area prior to May 1, 1958, shall be used to increase the shares of small producers to the extent determined by the State Committee to be necessary to provide for the more efficient operation of such farms. In increasing such small producers shares, the county committee shall take into consideration the size of beet operations for small farms in the area, the type of operations in the area, and other pertinent factors relating to efficient sugar beet production.

(h) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment for each proportionate share area from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1958-crop season.

(i) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on Form SU–103, Notice of Farm Proportionate Share—1958 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a Form SU–103–A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a Form SU–103–B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(j) *Redetermination of share.* If the Agricultural Stabilization and Conservation County Committee determines that the proportionate share for any farm was established with consideration for the personal history of a person who had no interest or did not acquire any interest in such farm as a tenant, or who was not the operator of the farm at the time of planting sugar beets on the farm, the State Committee shall be notified of the circumstances and the actual operator of the farm shall be given an opportunity to file a request for a share for such farm. Pursuant to such a request, the proportionate share for the farm shall be redetermined on the basis of the personal history of such actual operator, the farm history, or new producer procedure whichever is applicable, even though a downward adjustment to zero acres may be required. The actual farm operator shall be furnished a Form SU–103–A setting forth the redetermined share for the farm and he shall also be furnished a statement explaining the reasons for the adjustment. A copy of such statement shall be furnished the person to whom the original Form SU–103 was issued.

(k) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.76.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Minnesota State Committee for determining farm proportionate shares in Minnesota in accordance with the determination of proportionate shares for the 1958 crop of sugar beets, as issued by the Secretary of Agriculture.

Minnesota is again divided into the same two areas. Advisory committees, including grower and processor representatives, are utilized. In establishing proportionate shares for old producers, the factors of "past production" and "ability to produce" sugar beets are recognized. The procedure for establishing farm shares for new producers meets the related requirements of § 850.76.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 921; 7 U. S. C. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U. S. C. 1131, 1132)

Dated: July 9, 1958.

[SEAL] FLOYD E. SJOLANDER,
Chairman, Agricultural Stabilization and Conservation Minnesota State Committee.

Approved: July 25, 1958.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F. R. Doc. 58-5920; Filed, Aug. 1, 1958; 8:47 a. m.]

[Sugar Determination 850.76 as amended, Supp. 12]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

MONTANA PROPORTIONATE SHARE AREAS AND FARM PROPORTIONATE SHARES FOR 1958 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1958 Crop (22 F. R. 8107, 8175, 9877; 23 F. R. 4325) the Agricultural Stabilization and Conservation Montana State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 55,672 acres established for Montana by the determination. Copies of these bases and procedures are available for public inspection at the office of such Committee at 211 North Grand Avenue, Bozeman, Montana, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Montana. These bases and procedures incorporate the following:

§ 850.88 *Montana*—(a) *Proportionate share areas.* Montana shall be divided into three proportionate share areas as served by beet sugar companies. These areas shall be designated as follows: American Crystal, Great Western, and

Holly. Acreage allotments for these areas shall be computed by applying to the planted sugar beet acreage record for each area a weighting of 75 percent to the average acreage for the crops of 1950 through 1954, as a measure of "past production", and a weighting of 25 percent to the largest acreage of any of the crops of 1950 through 1954, as a measure of "ability to produce", with a minimum of 97.4 percent of the 1954–55 average and pro rata adjustments to a total of 55,672 acres. Acreage allotments computed as aforestated are established as follows: American Crystal Area—5,113 acres; Great Western Area—26,513 acres; and Holly Area—24,046 acres.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from each area as follows: American Crystal Area: 51 acres for new producers, 51 acres for appeals, and 133 acres for adjustments in initial shares; Great Western Area: 265 acres for new producers, 265 acres for appeals and 575 acres for adjustments in initial shares; Holly Area: 241 acres for new producers, 241 acres for appeals, and 170 acres for adjustments in initial shares.

(c) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC County Office on Form SU–100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date for such filing, provided in § 850.76. If a preliminary request for a tentative farm proportionate share is filed, a fully-completed Form SU–100 shall be filed by April 1, 1958. However, requests for proportionate shares may be accepted after such dates and shares may be established if the County Committee determines that in any such case the farm operator was prevented from filing a complete Form SU–100 by such dates because of absence, illness or other reasons beyond his control.

(d) *Establishment of individual proportionate shares for old producer farms*—(1) *Farm bases.* In each proportionate share area, the 1958 farm base for each old producer farm shall equal the most recent of the 1957, 1956, or 1955 crop shares established for the farm, including adjustments made under appeals but excluding any other upward adjustment made because the shares of other farms were not fully planted and excluding any downward adjustment made because the acreage planted on the farm was less than the share originally established for the farm.

(2) *Initial proportionate shares.* For each proportionate share area, the total of individual farm bases for old-producer farms, as established pursuant to this paragraph, is more than the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, initial proportionate shares shall be established from the farm bases in each proportionate share area by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides.

(3) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities, and the production experience of the operator.

(e) *Establishment of individual proportionate shares for new-producer farms.* Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1958-crop year by new producers (as defined in § 850.76) by taking into consideration the availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(f) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.76, applicable to appeals.

(g) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment for each proportionate share area from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1958-crop season. However, any acreage released by producers prior to April 2, 1958 shall be used to increase small proportionate shares (smaller-than-average for the area) so as to promote the more efficient operation of farms. In increasing such small-producer shares, the State Committee shall take into consideration the size of beet operations for small farms in the area, the type of operations in the area, and other pertinent factors relating to efficient sugar beet production.

(h) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on Form SU–103, Notice of Farm Proportionate Share—1958 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a Form SU–103–A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a Form SU–103–B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(i) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.76.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Montana State Committee for determining farm proportionate shares in Montana in accordance with the determination of proportionate shares for the 1958 crop of sugar beets, as issued by the Secretary of Agriculture.

Montana is again divided into three areas. Farm proportionate shares of old producers are established so as to recognize "past production" and "ability to produce" sugar beets. The procedure for establishing farm shares for new producers meets the related requirements of such section.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 921; 7 U. S. C. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U. S. C. 1131, 1132)

Dated: July 8, 1958.

[SEAL] ROY M. KING,
Chairman, Agricultural Stabilization and Conservation Montana State Committee.

Approved: July 25, 1958.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F. R. Doc. 58–5921; Filed, Aug. 1, 1958; 8:47 a. m.]

[Sugar Determination 850.76, as Amended, Supp. 14]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

NEVADA FARM PROPORTIONATE SHARES FOR 1958 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1958 Crop (22 F. R. 8107, 8175, 9877; 23 F. R. 4325) the Agriculture Stabilization and Conservation Nevada State Committee has issued the bases and procedures for establishing individual farm proportionate shares from the allocation of 548 acres established for Nevada by the determination. Copies of these bases and procedures are available for public inspection at the office of the Agricultural Stabilization and Conservation Committee for Churchill County, in the Federal Building, Fallon, Nevada. These bases and procedures incorporate the following:

§ 850.90 *Nevada*—(a) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC county office on Form SU–100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date of such filing, as provided in § 850.76. If a preliminary request for a tentative farm proportionate share is filed, a fully-completed Form SU–100 shall be filed by February 14, 1958. However, requests for proportionate shares may be accepted after such dates and shares may be established if the county committee determines that in any such case the farm operator was prevented from filing a completed Form SU–100 by such dates because of absence, illness or other reasons beyond his control.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from the State acreage allocation as follows: 50 acres for new producers, 10 acres for appeals, and 0 acres for adjustments in initial shares.

(c) *Establishment of individual proportionate shares for old producer farms*—(1) *Farm bases.* The 1958 farm base for each old-producer farm shall equal the most recent of the 1957 or 1956 crop shares established for the farm, including adjustments made under appeals but excluding any other upward adjustment made because the shares of other farms were not fully planted and excluding and downward adjustment made because the acreage planted on the farm was less than the share originally established for the farm.

(2) *Initial proportionate shares.* The total of individual farm bases for old-producer farms, as established pursuant to this paragraph is less than the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, initial proportionate shares shall be established from the farm bases as follows: For farms for which respective requested acreage are equal to or less than their farm bases, the initial shares shall coincide with the requested acreages; and for all other farms, initial shares shall be computed by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides and the total of the initial shares established in accordance with the prescribed part of this subparagraph.

(3) *Adjustments in initial shares.* Within the acreage available from initial shares in excess of requested acreage adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area, by taking into consideration availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(d) *Establishment of individual proportionate shares for new-producer farms.* Within the acreage set aside for new producers, proportionate shares shall be established in an equitable manner for farms to be operated during the 1958-crop year by new producers (as defined in § 850.76) at the minimum level determined by the State Committee under usual circumstances to be economically feasible to plant sugar beets, by taking into consideration the availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(e) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.76 applicable to appeals.

(f) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1958-crop season. However, any acreage released by producers prior to February 15, 1958, shall be used to increase shares of small producers (less than 8 acres). In increasing such small-producer shares, the State Committee shall take into consideration the size of beet operations for small farms in the area, the type of operations in the area, and other pertinent factors relating to efficient sugar beet production.

(g) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on Farm SU–103, Notice of Farm Proportionate Share—1958 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals, or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a Form SU–103–A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a form SU–103–B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(h) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.76.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Nevada State Committee for determining farm proportionate shares in Nevada in accordance with the determination of proportionate shares for the 1958 crop of sugar beets as issued by the Secretary of Agriculture.

Advisory committees, including grower and processor representatives, are utilized. In establishing proportionate shares for old producers, the factors of "past production" and "ability to produce" sugar beets are recognized by using the most recently established farm shares as 1958 farm bases. The procedure for establishing farm shares for new producers meets the related requirements of § 850.76.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 921; 7 U. S. C. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U. S. C. 1131, 1132)

Dated: July 17, 1958.

[SEAL] RUDOLPH H. SCHWARTZ,
Chairman, Agricultural Stabilization and Conservation Nevada State Committee.

Approved: July 25, 1958.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F. R. Doc. 58–5923; Filed, Aug. 1, 1958; 8:48 a. m.]

[Sugar Determination 850.76, as Amended, Supp. 15]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

NEW MEXICO FARM PROPORTIONATE SHARES FOR 1958 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1958 Crop (22 F. R. 8107, 8175, 9877; 23 F. R. 4325) the Agricultural Stabilization and Conservation New Mexico State Committee has issued the bases and procedures for establishing individual farm proportionate shares from the allocation of 744 acres established for New Mexico by the determination. Copies of these bases and procedures are available for public inspection at the office of such committee at 1015 Tijeras Avenue NW., Albuquerque, New Mexico, and at the office of the Agricultural Stabilization and Conservation Committee in Estancia, Torrance County, New Mexico. These bases and procedures incorporate the following:

§ 850.91 *New Mexico*—(a) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC county office on Form SU–100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date for such filing, as provided in § 850.76. If a preliminary request for a tentative farm proportionate share is filed, a fully-completed Form SU–100 shall be filed by April 15, 1958. However, requests for proportionate shares may be accepted after such dates and shares may be established if the county committee de-

termines that in any such case the farm operator was prevented from filing a completed Form SU–100 by such dates because of absence, illness or other reasons beyond his control.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from the State acreage allocation as follows: 50 acres for new producers, 8 acres for appeals, and 59 acres for adjustments in initial shares.

(c) *Establishment of individual proportionate shares for old-producer farms*—(1) *Farm bases.* The 1958 farm base for each old producer farm shall equal the most recent of the 1957, 1956 or 1955 crop shares established for the farm, including adjustments made under appeals but excluding any other upward adjustment made because the shares of other farms were not fully planted and excluding any downward adjustments made because the acreage planted on the farm was less than the share originally established for the farm.

(2) *Initial proportionate shares.* The total of individual farm bases for old-producer farms, as established pursuant to subparagraph (1) of this paragraph is equal to the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, initial proportionate shares shall be established from the farm bases as follows: For farms for which the respective requested acreages are equal to or less than their farm bases, the initial shares shall coincide with the requested acreages; and for all other farms, initial shares shall be computed by pro-rating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides and the total of the initial shares established in accordance with the preceding part of this subparagraph.

(3) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(d) *Establishment of individual proportionate shares for new-producer farms.* Within the acreage set aside for new producers, proportionate shares shall be established in an equitable manner for farms to be operated during the 1958-crop year by new producers (as defined in § 850.76) at the minimum level determined by the State Committee under usual circumstances to be economically feasible to plant to sugar beets by taking into consideration the availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(e) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.76 applicable to appeals.

(f) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1958-crop season. However, any acreage released by producers prior to March 15, 1958, shall be used to increase shares of small producers (less-than-average for the area). In increasing such small-producer shares, the State Committee shall take into consideration the size of beet operations for small farms in the area, the type of operations in the area, and other pertinent factors relating to efficient sugar beet production.

(g) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on Form SU–103, Notice of Farm Proportionate Share—1958 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals, or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a Form SU–103–A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a Form SU–103–B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(h) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.76.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation New Mexico State Committee for determining farm proportionate shares in New Mexico in accordance with the determination of proportionate shares for the 1958 crop of sugar beets, as issued by the Secretary of Agriculture.

Individual farm proportionate shares are again established directly from the State allocation, without subdividing the State into proportionate share areas. The basis used for establishing individual farm shares for old producers from the State allocation recognizes the factors of "past prodction" and "ability to produce" by the use of accredited acreages for the crop years 1955–57. The procedure for establishing farm shares for new producers meets the related requirements of § 850.76.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 921; 7 U. S. C. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930 as amended; 7 U. S. C. 1131, 1132)

Dated: July 15, 1958.

[SEAL] CLAUDE B. EDMONDS,
Chairman, Agricultural Stabilization and Conservation New Mexico State Committee.

Approved: July 25, 1958.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F. R. Doc. 58–5924; Filed, Aug. 1, 1958; 8:48 a. m.]

[Sugar Determination 850.76, as Amended, Supp. 16]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

NORTH DAKOTA PROPORTIONATE SHARE AREAS AND FARM PROPORTIONATE SHARES FOR 1958 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1958 Crop (22 F. R. 8107, 8175, 9877; 23 F. R. 4325), the Agricultural Stabilization and Conservation North Dakota State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 38,027 acres established for North Dakota by the determination. Copies of these bases and procedures are available for public inspection at the office of such Committee at 304 de Lendrecie Building, Fargo, North Dakota, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of North Dakota. These bases and procedures incorporate the following:

§ 850.92 *North Dakota*—(a) *Proportionate share areas.* North Dakota shall be divided into two proportionate share areas comprising the separate sugar beet producing regions of the State, one of which is served by the American Crystal Sugar Company and the other by the Holly Sugar Corporation. These areas shall be designated the "Eastern Area" and the "Western Area", respectively. Acreage allotments for these areas shall be computed by applying to the planted sugar beet acreage record for each area a weighting of 85 percent to the average

acreage for the crops of 1950 through 1954, as a measure of "past production", and a weighting of 15 percent to the largest acreage of any of the crops of 1950 through 1954, as a measure of "ability to produce", with pro rata adjustments to a total of 38,027 acres. Acreage allotments computed as aforestated are established as follows: Eastern Area—33,736 acres and Western Area—4,291 acres.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from area allotments as follows: Eastern Area—183 acres for new producers, 155 acres for small producers, 338 acres for appeals and 157 acres for adjustments in initial shares; Western Area—22 acres for new producers, 21 acres for small producers, 43 acres for appeals and 0 acres for adjustments in initial shares.

(c) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC County Office on Form SU–100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date for such filing, as provided in § 850.76. If a preliminary request for a tentative farm proportionate share is filed, a fully-completed Form SU–100 shall be filed by April 1, 1958. However, requests for proportionate shares may be accepted after such dates and shares may be established if the county committee determines that in any such case the farm operator was prevented from filing a completed Form SU–100 by such dates because of absence, illness or other reasons beyond his control.

(d) *Establishment of individual proportionate shares for old-producer farms*—(1) *Farm bases.* In each proportionate share area, the 1958 farm base for each old-producer farm shall equal the most recent of the 1957, 1956 or 1955 crop shares established for the farm, including adjustments made under appeals but excluding any other upward adjustment made because the shares of other farms were not fully planted or downward adjustment made because the acreage of sugar beets on the farm was less than the share originally established for the farm.

(2) *Initial proportionate shares.* For each proportionate share area, the total of individual farm bases for old-producer farms, as established pursuant to this paragraph is more than the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, initial proportionate shares shall be established from the farm bases in each proportionate share area by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides.

(3) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities, and the production experience of the operator.

(e) *Establishment of individual proportionate shares for new-producer farms.* Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1958-crop year by new producers (as defined in § 850.76) at levels determined by the State Committee to be economically feasible to plant to sugar beets under usual circumstances, by taking into consideration the availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(f) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.76, applicable to appeals.

(g) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment for each proportionate share area from underplanting and failure to plant, and unused acreage from set-asides and other sources, adustments shall be made in farm proportionate shares during the 1958-crop season. However, any acreage released by producers prior to April 15, 1958, shall be used to increase small proportionate shares (less-than-average for the area) so as to promote the more efficient operation of farms. In increasing such small-producer shares, the State Committee shall take into consideration the size of beet operations for small farms in the area, the type of operations in the area, and other pertinent factors relating to efficient sugar beet production.

(h) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on Form SU–103, Notice of Farm Proportionate Share—1958 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a Form SU–103–A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a Form SU–103–B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(i) *Redetermination of share.* If the Agricultural Stabilization and Conservation County Committee determines that the proportionate share for any farm was established with consideration for the personal history of a person who had no interest or did not acquire any interest in such farm as a tenant, or who was not the operator of the farm at the time of planting sugar beets on the farm, the State Committee shall be notified of the circumstances and the actual operator of the farm shall be given an opportunity to file a request for a share for such farm. Pursuant to such a request, the proportionate share for the farm shall be redetermined on the basis of the personal history of such actual operator, the farm history, or new-producer procedure, whichever is applicable, even though a downward adjustment to zero acres may be required. The actual farm operator shall be furnished a Form SU–103–A setting forth the redetermined share for the farm and he shall also be furnished a statement explaining the reasons for the adjustment. A copy of such statement shall be furnished the person to whom the original Form SU–103 was issued.

(j) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.76.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation North Dakota State Committee for determining farm proportionate shares in North Dakota in accordance with the determination of proportionate shares for the 1958 crop of sugar beets, as issued by the Secretary of Agriculture.

The bases and procedures specified herein are essentially the same as those which were effective in the State for the 1957 crop. North Dakota is again divided into the same two areas. Advisory committees, including grower and processor representatives, are utilized. In establishing proportionate shares for old producers, the factors of "past production" and "ability to produce" sugar beets are recognized by using the most-recently established farm share as 1958 farm bases.

The procedure for establishing farm shares for new producers meets the related requirements of § 850.76. The acreage set aside for such producers is sufficient to establish shares for farms at the prescribed minimum levels for those having the required qualifications.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals, are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 921; 7 U. S. C. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U. S. C. 1131, 1132)

Dated: July 2, 1958.

[SEAL] RICHARD ASLAKSON,
Chairman, Agricultural Stabilization and Conservation North Dakota State Committee.

Approved: July 25, 1958.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F. R. Doc. 58-5960; Filed, Aug. 1, 1958; 8:54 a. m.]

[Sugar Determination 850.76, as Amended, Supp 17]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

OHIO PROPORTIONATE SHARE AREAS AND FARM PROPORTIONATE SHARES FOR 1958 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1958 Crop (22 F. R. 8107, 8175, 9877; 23 F. R. 4325), the Agricultural Stabilization and Conservation Ohio State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 22,125 acres established for Ohio by the determination. Copies of these bases and procedures are available for public inspection at the office of such Committee at Room 211 Old Federal Building, Columbus, Ohio, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Ohio. These bases and procedures incorporate the following:

§ 850.93 *Ohio*—(a) *Proportionate share areas.* Ohio shall be divided into two proportionate share areas or districts comprising beet sugar factory districts as served by two beet sugar companies. These areas shall be designated "Northern Ohio District" and "Buckeye District", respectively. Acreage allotments for these districts shall be computed by applying to the planted sugar beet acreage record for each district a weighting of 75 percent to the average acreage for the crops of 1950 through 1954, as a measure of "past production", and a weighting of 25 percent to the largest acreage of any of the crops of 1950 through 1954, as a measure of "ability to produce", with a ceiling of 125 percent of the 1954 acreage and pro rata adjustments to a total of 22,125 acres. Acreage allotments computed as aforestated are established as follows: Northern Ohio District—15,663 acres; and Buckeye District—6,462 acres.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from district allotments as follows: Buckeye District—430 acres for new producers, 65 acres for appeals, and 1,292 acres for adjustments in initial shares; and Northern Ohio District—875 acres for new producers, 157 acres for appeals, and 3,133 acres for adjustments in initial shares.

(c) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC County Office on Form SU–100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date for such filing, provided in § 850.76. If a preliminary request for a tentative farm proportionate share is filed, a fully-completed Form SU–100 shall be filed by February 28, 1958. However, requests for proportionate shares may be accepted after such dates and shares may be established if the County Committee determines that in any such case the farm operator was prevented from filing a completed form SU–100 by such dates because of absence, illness or other reasons beyond his control.

(d) *Establishment of individual proportionate shares for old-producer farms*—(1) *Farm bases.* In each proportionate share area, the 1958 farm base for each old-producer farm shall equal the most recent of the 1957, 1956 or 1955-crop shares established for the farm, including adjustments made under appeals but excluding any other upward adjustment made because the shares of other farms were not fully planted and excluding any downward adjustment made because the acreage planted on the farm was less than the share originally established for the farm.

(2) *Initial proportionate shares.* For each proportionate share area, the total of individual farm bases for old-producer farms, as established pursuant to this paragraph, is more than the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, initial proportionate shares shall be established from the farm bases in each proportionate share area by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides.

(3) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability of and suitability of land, area of available fields, adequacy of drainage, availability of production and marketing facilities, and the production experience of the operator.

(e) *Establishment of individual proportionate shares for new producers.* Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1958-crop year by new producers (as defined in § 850.76) by taking into consideration the availability and suitability of land, area of available fields, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(f) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.76 applicable to appeals.

(g) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment for each proportionate share area from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1958-crop season. However, any acreage released by producers prior to April 29, 1958, shall be used to increase shares of small producers (less-than-average for the area). In increasing such small producers' shares, the State Committee shall take into consideration the size of beet operations for small farms in the area, the type of operations in the area, and other pertinent factors relating to efficient sugar beet production.

(h) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on Form SU–103, Notice of Farm Proportionate Share—1958 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a Form SU–103–A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a Form SU–103–B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(i) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.76.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Ohio State Committee for determining farm proportionate shares in Ohio in accordance with the determination of proportionate shares for the 1958 crop of sugar beets, as issued by the Secretary of Agriculture.

The bases and procedures specified herein are essentially the same as those which were effective in the State for the 1957 crop. Advisory committees, including grower and processor representatives, are utilized. In establishing proportionate shares for old producers, the factors of "past production" and "ability to produce" sugar beets are measured by using the most recent of the 1957, 1956, or 1955 crop shares established for the farm as the base in

prorating the acreage available for such producers. The procedure for establishing farm shares for new producers meets the related requirements of § 850.76.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 921; 7 U. S. C. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U. S. C. 1131, 1132)

Dated: June 30, 1958.

[SEAL] THEODORE H. BREYLEY,
Chairman, Agricultural Stabilization and Conservation Ohio State Committee.

Approved: July 25, 1958.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F. R. Doc. 58-5922; Filed, Aug. 1, 1958; 8:48 a. m.]

[Sugar Determination 850.76, as amended, Supp. 18]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

SOUTH DAKOTA FARM PROPORTIONATE SHARES FOR 1958 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1958 Crop (22 F. R. 8107, 8175, 9877; 23 F. R. 4325), the Agricultural Stabilization and Conservation South Dakota State Committee has issued the bases and procedures for establishing individual farm proportionate shares from the allocation of 5,952 acres established for South Dakota by the determination. Copies of these bases and procedures are available for public inspection at the office of such committee at 239 Wisconsin Street SW., Huron, South Dakota, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of South Dakota. These bases and procedures incorporate the following:

§ 850.94 *South Dakota*—(a) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC county office on form SU–100, Request for Sugar Beet Proportionate Share, under the conditions and on or before the closing date of such filing, as provided in § 850.76. If a preliminary request for a tentative farm proportionate share is filed, a fully completed Form SU–100 shall be filed by April 15, 1958. However, requests for proportionate shares may be accepted after such dates and shares may be established if the county committee determines that in any such case the farm operator was prevented from filing a completed Form SU–100 by such dates because of absence, illness or other reasons beyond his control.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from the State acreage allocation as follows: 218 acres for new producers, 63 acres for appeals, and 0 acres for adjustments in initial shares.

(c) *Establishment of individual proportionate shares for old-producer farm*—(1) *Farm bases.* The 1958 farm base for each old-producer farm having accredited acreage for at least one of the crop years 1955–57 shall equal one third of the total of the 1955–57 accredited acreages for the farm: *Provided*, That for a farm for which a new-producer share was established for 1955, 1956, or 1957, the farm base shall equal the most recent year's accredited acreage for the farm, but not to exceed the most-recently established share.

(2) *Initial proportionate shares.* The total of individual farm bases for old-producer farms, as established pursuant to the subparagraph (1) of this paragraph is less than the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, initial proportionate shares shall be established from the farm bases as follows: For farms for which the respective requested acreages are equal to or less than their farm bases, the initial shares shall coincide with the requested acreages; and for all other farms, initial shares shall be computed by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides, and the total of the initial shares established in accordance with the preceding part of this subparagraph.

(3) *Adjustments in initial shares.* Within the acreage available from initial shares in excess of requested acreages, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area, by taking into consideration availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(d) *Establishment of individual proportionate shares for new-producer farms.* Within the acreage set aside for new producers, proportionate shares shall be established in an equitable manner for farms to be operated during the 1958-crop year by new producers (as defined in § 850.76) at the minimum level determined by the State Committee under usual circumstances to be economically feasible to plant sugar beets, by taking into consideration the availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marking facilities and the production experience of the operator.

(e) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.76 applicable to appeals.

(f) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1958-crop season. However, any acreage released by producers prior to April 1, 1958, shall be used to increase shares of small producers (less than 15 acres). In increasing such small-producer shares, the State Committee shall take into consideration the size of beet operations for small farms in the area, the type of operations in the area, and other pertinent factors relating to efficient sugar beet production.

(g) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on Form SU–103, Notice of Farm Proportionate Share—1958 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals, or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a Form SU–103–A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a Form SU–103–B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(h) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.76.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation South Dakota State Committee for determining farm proportionate shares in South Dakota in accordance with the determination of proportionate shares for the 1958 crop of sugar beets, as issued by the Secretary of Agriculture.

Advisory committees, including grower and processor representatives, are utilized. In establishing proportionate shares for old producers, the factors of "past production" and "ability to produce" sugar beets are recognized by the use of accredited acreages for the crop years 1955–57. The procedure for establishing farm shares for new producers meets the related requirements of § 850.76.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 921; 7 U. S. C. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930 as amended; 7 U. S. C. 1131, 1132)

Dated: July 1, 1958.

[SEAL] CARL J. SCHAEFER,
Chairman, Agricultural Stabilization and Conservation South Dakota State Committee.

Approved: July 25, 1958.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F. R. Doc. 58-5961; Filed, Aug. 1, 1958; 8:54 a. m.]

[Sugar Determination 850.76, as Amended; Supp. 19]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

TEXAS FARM PROPORTIONATE SHARES FOR 1958 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1958 Crop (22 F. R. 8107, 8175, 9877; 23 F. R. 4325) the Agricultural Stabilization and Conservation Texas State Committee has issued the bases and procedures for establishing individual farm proportionate shares from the allocation of 1,771 acres established for Texas by the determination. Copies of these bases and procedures are available for public inspection at the office of such committee at the U. S. D. A. Building, College Station, Texas, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Texas. These bases and procedures incorporate the following:

§ 850.95 *Texas*—(a) *Set-asides of acreage.* From the State allocation there are set aside 44 acres for use in establishing farm proportionate shares for new producers, 18 acres for adjusting individual farm proportionate shares under appeals, and 56 acres for adjusting initial farm proportionate shares.

(b) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC County Office on Form SU–100, Request for Sugar Beet Proportionate Share, under the conditions, and on or before the closing date for such filing, as provided in § 850.76. If a preliminary request for a tentative farm proportionate share is filed, a fully completed Form SU–100 shall be filed by March 25, 1958. However, requests for proportionate shares may be accepted after such dates and shares may be established if the County Committee determines that in any such case the farm operator was prevented from filing a complete Form SU–100 by such dates because of absence, illness or other reasons beyond his control.

(c) *Establishment of individual farm proportionate shares for old producers*—(1) *Farm bases.* For each farm operated by an old producer having accredited acreage for at least one of the crop years 1955–57, the farm base shall be computed from the accredited sugar beet acreage record of the farm by giving a weighting of 50 percent to the average accredited acreage for the crops of 1952 through 1957, as a measure of "past production", and a weighting of 50 percent to the average acreage of the crops 1955 through 1957 as a measure of "ability to produce", except that the 1958 farm base for any farm operated by a new producer in 1955, 1956 or 1957 shall be the most recent accredited acreage for the farm, but not in excess of the most recent established farm share.

(2) *Initial proportionate shares.* The total of individual farm bases for old-producer farms, as established pursuant to the subparagraph (1) of this paragraph is less than the area allotment minus the set-asides of acreage established under paragraph (a) of this section. Accordingly, initial proportionate shares shall be established from the farm bases as follows: For farms for which the respective requested acreages are equal to or less than their farm bases, the initial shares shall coincide with the requested acreages; and for all other farms, initial shares shall be computed by prorating to such farms in accordance with their respective bases, the area allotment less the prescribed set-asides and the total of the initial shares established in accordance with the preceding part of this subparagraph.

(3) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities, and the production experience of the operator.

(d) *Establishment of individual proportionate shares for new-producer farms.* Within the acreage set aside for new producers, proportionate shares shall be established in an equitable manner for farms to be operated during the 1958-crop year by new producers (as defined in § 850.76) at the minimum level determined by the State Committee under usual circumstances to be economically feasible to plant to sugar beets, by taking into consideration the availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(e) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.76 applicable to appeals.

(f) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1958-crop season. However, any acreage released by producers prior to March 4, 1958, shall be used to increase shares of small producers (less-than-average for the area). In increasing such small-producer shares, the State Committee shall take into consideration the size of best operations for small farms in the area, the type of operations in the area, and other pertinent factors relating to efficient sugar beet production.

(g) *Notification of farm operations.* The farm operator shall be notified concerning the proportionate share established for his farm on Form SU–103, Notice of Farm Proportionate Share—1958 Sugar Beet Crop, even if the acreage established is "none". In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals, or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted proportionate share on a Form SU–103–A or other similar written notice. For each tentative proportionate share which is established, the person filing the request for such share shall be notified on a Form SU–103–B specifying that such tentative share does not constitute a farm proportionate share for the purpose of payment under the Sugar Act of 1948, as amended.

(h) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.76.

Statement of bases and considerations. This supplement sets forth the bases and procedures established by the Agriculture Stabilization and Conservation Texas State Committee for determining farm proportionate shares in Texas in accordance with the determination of proportionate shares for the 1958 crop of sugar beets, as issued by the Secretary of Agriculture.

The bases and procedures specified herein are essentially the same as those which were effective in the State for the 1957 crop, although the base period is changed from 1950–56 to 1952–57. A weighting of 50 percent is given to the average accredited acreage on the farm for the period 1952–57, as a measure of "past production", and a weighting of 50 percent is given to the average accredited acreage for the period 1955–57, as a measure of "ability to produce". The procedure for establishing farm shares for new producers meets the related requirements of § 850.76.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 921; 7 U. S. C. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U. S. C. 1131, 1132)

Dated: July 16, 1958.

[SEAL] SEARCY M. FERGUSON,
Chairman, Agricultural Stabilization and Conservation Texas State Committee.

Approved: July 25, 1958.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F. R. Doc. 58-5925; Filed, Aug. 1, 1958; 8:48 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 147]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 922.447 *Valencia Orange Regulation 147*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such oranges as will provide, in the interests of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 31, 1958.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., August 3, 1958, and ending at 12:01 a. m., P. s. t., August 10, 1958, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 531,300 cartons;
(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: August 1, 1958.

[SEAL] G. R. GRANGE,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 58-6089; Filed, Aug. 1, 1958; 11:38 a. m.]

[Lemon Reg. 750]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF HANDLING

§ 953.857 *Lemon Regulation 750*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based becomes available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 30, 1958.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., August 3, 1958, and ending at 12:01 a. m., P. s. t., August 10, 1958, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 279,000 cartons;
(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: July 31, 1958.

[SEAL] G. R. GRANGE,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 58-6007; Filed, Aug. 1, 1958; 9:11 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

PART 27—AIRCRAFT DISPATCHER CERTIFICATES

REVISION OF PART

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 29th day of July 1958.

Part 27, adopted December 22, 1939, effective July 15, 1940, as amended, establishes the current requirements for the issuance of aircraft dispatcher certificates. Since that time other airman parts have been revised and are now different from Part 27 in format and terminology. It is, therefore, desirable to revise Part 27 to make it conform more closely to the newer airman parts.

Two Civil Air Regulations Draft Releases were issued entitled "Proposed Revision of Part 27 of the Civil Air Regulations—Aircraft Dispatcher Certificates." The first was Draft Release 55-22, dated October 31, 1955. The second was Draft Release 57-22, dated October 2, 1957, which was published in the FEDERAL REGISTER on October 8, 1957. Both draft releases proposed changes to clarify the section pertaining to skill, to make changes in the experience requirements, and to delete the recent experience requirements.

The more significant changes are as follows:

1. *Experience.* The current aeronautical experience requirements preclude the possibility of a person's securing an aircraft dispatcher certificate when serving in other than scheduled air carrier or scheduled military operations. This revision broadens the base of experience which may be credited toward qualification for a certificate by recognizing the fact that some operators other than scheduled air carriers have established well-organized dispatch organizations through which they exercise dispatch control over the operation of their aircraft, even though not required to do so by the Civil Air Regulations. It is hoped that the recognition of this experience will serve to encourage the voluntary establishment of dispatch organizations in aircraft operations other than scheduled air carrier operations.

2. *Knowledge.* The paragraph in the present aeronautical knowledge section dealing with the characteristics of an aircraft used in air carrier operations has been moved to the section pertaining to skill. This has been done because an applicant's competence in this regard can better be determined from the practical rather than the written examination.

3. *Skill.* This section has been rewritten to present clearly the aircraft characteristics with respect to which the applicant will be required to take a practical examination. The specific reference to the Morse code has been deleted since an applicant in complying with the knowledge requirements would demonstrate sufficiently his familiarity with the code.

4. *Recent experience requirements.* Airman training and recent experience requirements applicable to aircraft dispatchers are contained in certain of the air carrier operating parts of the Civil Air Regulations. It is appropriate that these requirements should continue to be contained in the air carrier operating parts since specialized recent experience with respect to the carrier's authorized routes and the particular types of aircraft used is needed by the dispatcher so that he can perform his assigned duties in a competent manner. On the other hand, the recent experience requirements contained in present Part 27 are general in nature and may not be pertinent to the specific duties to which dispatchers are assigned. Furthermore, they are not considered necessary in view of the more specialized requirements contained in the operating parts of the Civil Air Regulations. Therefore, the current recent experience requirements are deleted from this part. This deletion will in no way affect the training program and recent experience requirements prescribed in the operating parts.

Interested persons have been afforded an opportunity to participate in the revision of this part (22 F. R. 8006), and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the Civil Aeronautics Board hereby revises Part 27 of the Civil Air Regulations (14 CFR Part 27, as amended) as follows, effective November 1, 1958.

APPLICABILITY AND DEFINITIONS

Sec.
27.1 Applicability of this part.
27.2 Definitions.

CERTIFICATION RULES

27.5 Application for certificate.
27.6 Issuance.
27.7 Duration.
27.8 Change of address.

GENERAL CERTIFICATE REQUIREMENTS

27.21 Citizenship.
27.22 Age.
27.23 Education.
27.24 Examinations and tests.
27.25 Re-examination after failure.
27.26 Substantiation of experience.

QUALIFICATIONS FOR A CERTIFICATE

27.31 Experience.
27.32 Knowledge.
27.33 Skill.

OPERATING RULES

27.41 Certificate required.
27.42 Display.

AUTHORITY: §§ 27.1 to 27.42 issued under sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, 1008, as amended; 49 U. S. C. 551, 552.

APPLICABILITY AND DEFINITIONS

§ 27.1 *Applicability of this part.* This part establishes certification and general operating rules for aircraft dispatchers.

§ 27.2 *Definitions.* As used in this part, terms are defined as follows:

Administrator. The "Administrator" is the Administrator of Civil Aeronautics.

Air carrier. An "air carrier" is any citizen of the United States who undertakes directly, or by lease or by other arrangement, the carriage by aircraft of persons or property as a common carrier for compensation or hire, or the carriage of mail by aircraft.

Aircraft dispatcher. An "aircraft dispatcher" is an individual holding a valid aircraft dispatcher certificate issued by the Administrator who exercises responsibility with the pilot in command in the operational control of each flight.

Approved. "Approved," when used alone or as modifying terms such as means, method, action, equipment, etc., means approved by the Administrator.

Authorized representative of the Administrator. An "authorized representative of the Administrator" is any employee of the Civil Aeronautics Administrator or any private person, authorized by the Administrator to perform particular duties of the Administrator under the provisions of this part.

Flight time. "Flight time" is the time from the moment the aircraft first moves under its own power for the purpose of flight until it comes to rest at the next point of landing (block-to-block time).

Operational control. "Operational control" is the exercise of authority over initiation, continuation, diversion, or termination of a flight.

Pilot in command. The "pilot in command" is the pilot responsible for the operation and safety of the aircraft during the time defined as flight time.

CERTIFICATION RULES

§ 27.5 *Application for certificate.* An application for a certificate shall be made on a form and in a manner prescribed by the Administrator.

§ 27.6 *Issuance.* (a) An aircraft dispatcher certificate shall be issued by the Administrator to an applicant who meets the requirements of this part.

(b) Pending a review of an applicant's application and supplementary documents and the issuance of a certificate by the Administrator, an authorized representative of the Administrator may, subject to such conditions and limitations as the Administrator may prescribe, issue a temporary aircraft dispatcher certificate to an applicant who meets the requirements of this part.

§ 27.7 *Duration.* (a) An aircraft dispatcher certificate issued to a United States citizen shall remain in effect until surrendered, suspended, revoked, or otherwise terminated by order of the Board. A certificate issued to an applicant other than a United States citizen shall remain in effect for a period no longer than 12 months after the date of issuance; however, it may be reissued without further demonstration of technical competence.

(b) A temporary aircraft dispatcher certificate shall remain in effect for a period no longer than 90 days after the date of issuance.

(c) After revocation, and upon request after suspension, the certificate shall be returned to the Administrator.

§ 27.8 *Change of address.* Within 30 days after any change in the permanent mailing address of a certificated aircraft dispatcher, he shall notify the Administrator in writing of his new address. This notice shall be mailed to the Administrator of Civil Aeronautics, atten-

tion Airman Records Branch, Washington 25, D. C.

§ 27.21 *Citizenship.* An applicant for an aircraft dispatcher certificate may be a citizen of any country or a person without nationality.

§ 27.22 *Age.* 23 years is the minimum age for the issuance of an aircraft dispatcher certificate.

§ 27.23 *Education.* An applicant shall be able to read, speak, and understand the English language, or an appropriate operation limitation shall be placed on his aircraft dispatcher certificate.

§ 27.24 *Examinations and tests.* Examinations and tests shall be conducted by an authorized representative of the Administrator at such times and places as the Administrator may designate. The passing grade for such examinations and tests shall be at least 70 percent.

§ 27.25 *Re-examination after failure.* An applicant who has failed any prescribed written or practical examination or test may not apply for re-examination within a 30-day period from the date of such failure unless he presents a statement signed by a certificated aircraft dispatcher, an appropriately rated and certificated ground instructor, or an authorized representative of the Administrator, which attests that the applicant has received an additional 5 hours of instruction in each of the subjects failed and that the applicant is considered competent for re-examination.

§ 27.26 *Substantiation of experience.* An applicant shall present to the Administrator satisfactory documentary evidence to substantiate the experience qualifications for an aircraft dispatcher certificate.

QUALIFICATIONS FOR A CERTIFICATE

§ 27.31 *Experience.* (a) An applicant shall have served for a total of 2 of the 3 years immediately preceding the date of application in scheduled air carrier operations, scheduled military operations, or in other aircraft operations which the Administrator finds provides equivalent experience as:

(1) A pilot member of the crew, or

(2) A flight radio operator or ground radio operator, or

(3) A flight navigator, or

(4) A meteorologist, or

(5) An individual or an assistant performing the functions of an aircraft dispatcher, or

(6) An individual performing other functions which the Administrator finds provides equivalent experience; or

(b) An applicant shall have served for at least 2 of the 3 years immediately preceding the date of application as an air route traffic controller or as a certificated air-traffic control-tower operator; or

(c) An applicant shall have served for at least one of the 2 years immediately preceding the date of application as an assistant in the dispatching of scheduled air carrier aircraft performing all the duties of an aircraft dispatcher under the direct supervision of a certificated aircraft dispatcher; or

(d) An applicant, within 90 days immediately preceding the date of application, shall have completed successfully a course of instruction which the Administrator approves as adequate for the training of an aircraft dispatcher.

(e) An applicant may credit any combination of experience in paragraph (a) or in paragraphs (a) and (b) of this section provided that the aggregate of such experience is at least 2 years.

§ 27.32 *Knowledge.* An applicant shall satisfactorily pass a written examination on the following subjects:

(a) The provisions of the Civil Air Regulations applicable to the duties of an aircraft dispatcher;

(b) The general system of collection and dissemination of weather information;

(c) The interpretation of aviation weather reports, including the abbreviations and symbols employed therein, as prescribed in Department of Commerce Weather Bureau Circular N (Instructions for Airway Meteorological Service), as amended;

(d) The fundamentals of meteorology as applied to aircraft operations, with particular reference to:

(1) Surface and upper air weather maps and the general characteristics of air masses, pressure systems, and frontal systems, including the symbols and nomenclature pertaining thereto,

(2) Cloud forms and their significance,

(3) Icing,

(4) Turbulence,

(5) Thunderstorms,

(6) Fog and low ceilings,

(7) Winds aloft,

(8) Pressure pattern flying,

(9) Influence of terrain on meteorological conditions, and

(10) General principles of forecasting and analysis;

(e) Principles of aircraft navigation with particular respect to instrument operation and procedures;

(f) Communications facilities and procedures;

(g) Air navigation facilities and procedures; and

(h) Air traffic control procedures.

§ 27.33 *Skill.* An applicant shall satisfactorily pass a practical examination on at least the following:

(a) With respect to one type of large aircraft used in air carrier operations:

(1) Weight and balance limitations;

(2) Performance operating limitations;

(3) Use of cruise control charts; and

(4) Fuel and oil capacities and rates of consumption.

(b) The characteristics of air routes and airports with particular reference to:

(1) Landing areas;

(2) Lighting facilities; and

(3) Approach and landing facilities and procedures.

(c) The use and limitations of sensitive type altimeters.

(d) The application of available weather forecasts and reports for purposes of determining whether a flight can be made with safety.

(e) The dispatch and assistance of a flight under adverse weather conditions.

(f) Emergency procedures.

OPERATING RULES

§ 27.41 *Certificate required.* No individual shall serve as an aircraft dispatcher in connection with any civil aircraft used in air commerce without, or in violation of the terms of, a certificate required by the Civil Air Regulations and issued in accordance with the provisions of this part. He shall have his certificate in his personal possession when performing his duties.

§ 27.42 *Display.* An aircraft dispatcher shall, upon request, present his airman certificate for examination by any authorized representative of the Civil Aeronautics Board or the Administrator, or by any State or local law enforcement officer.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F. R. Doc. 58-5966; Filed, Aug. 1, 1958; 8:55 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 14]

PART 600—DESIGNATION OF CIVIL AIRWAYS

ALTERATIONS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Division, and are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 600 is amended as follows:

1. Section 600.16 *Green civil airway No. 6 (Alice, Tex., to Norfolk, Va.)* is amended by deleting the words "Bay Minette, Ala., nondirectional radio beacon;" and by adding the following in lieu thereof: "Mobile, Ala., nondirectional radio beacon;".

2. Section 600.210 *Red civil airway No. 10 (Wichita Falls, Tex., to Augusta, Ga.)* is amended by changing all after Atlanta, Ga., radio range station to read: "Atlanta, Ga., radio range station to the Augusta, Ga., radio range station, excluding the portion lying within the geographic limits of, and between the designated altitudes of, the Fort Gordon restricted area (R–124) during the restricted area's time of designation."

3. Section 600.217 *Red civil airway No. 17 (St. Louis, Mo., to Baltimore, Md.)* is amended by changing the words which read: "intersection of the northeast course of the Arcola, Va., radio range and the west course of the Baltimore, Md., radio range;" to read: "intersection of a line bearing 11° True from the Springfield, Va., nondirectional

radio beacon and the west course of the Baltimore, Md., radio range;".

4. Section 600.218 *Red civil airway No. 18 (Indianapolis, Ind., to Washington, D. C.)* is amended by changing all after Front Royal, Va., to read: "Front Royal, Va., radio range station to the Springfield, Va., nondirectional radio beacon."

5. Section 600.219 *Red civil airway No. 19 (Traverse City, Mich., to Norfolk, Va.)* is amended by changing the portion which reads: "From the intersection of the southwest course of the Arcola, Va., radio range and the west course of the Quantico, Va. (Navy), radio range" to read: "From the intersection of the southeast course of the Front Royal, Va., radio range and the west course of the Quantico, Va. (Navy), radio range".

6. Section 600.230 *Red civil airway No. 30 (Shreveport, La., to Jacksonville, Fla.)* is amended by changing all after New Orleans to read: "From the New Orleans, La., radio range station via the intersection of the east course of the New Orleans radio range and the southwest course of the Keesler AFB, Biloxi, Miss., radio range; Brookley AFB, Ala., nondirectional radio beacon; Saufley Field (Navy), Fla., nondirectional radio beacon; the intersection of a line bearing 057° True from the Saufley Field (Navy) nondirectional radio beacon to its intersection with the west course of the Crestview, Fla., radio range; Crestview, Fla., radio range station; the intersection of the east course of the Crestview radio range and the northwest course of the Tallahassee, Fla., radio range; Tallahassee, Fla., radio range station to the Jacksonville, Fla., radio range station. The portion of this airway below 2,000 feet MSL which lies within the Pensacola caution area C–488 is excluded; the portion which lies within the geographic limits of, and between the designated altitudes of the Valparaiso restricted area (R–383) is excluded during the restricted area's time of designation; the portions above 19,000 feet MSL which lies beneath and, also, the portions which lie within the geographic limits of, and between the designated altitudes of, the Tyndall AFB restricted area (R–336) are excluded during this restricted area's time of designation."

7. Section 600.233 *Red civil airway No. 33 (Norfolk, Va., to Boston, Mass.)* is amended by deleting the portion which reads: "From the Gordonsville, Va., radio range station via the Arcola, Va., radio range station to the intersection of the northeast course of the Arcola, Va., radio range and the southeast course of the Harrisburg, Pa., radio range."

8. Section 600.234 *Red civil airway No. 34 (Charleston, S. C., to Weeksville, N. C.)* is amended by correcting the last portion to read: "From the intersection of a line bearing 11° True from the New Bern, N. C., nondirectional radio beacon and the southwest course of the Norfolk, Va., radio range to the Weeksville, N. C. (Navy), radio range station."

9. Section 600.261 is amended to read:

§ 600.261 *Red civil airway No. 61 (Butler, Pa., to Johnstown, Pa.).* From the intersection of the southeast course of the Akron, Pa., radio range and the northwest course of the Pittsburgh, Pa., radio range via the Butler, Pa., nondirectional radio beacon to the Johnstown, Pa., nondirectional radio beacon.

10. Section 600.274 is amended to read:

§ 600.274 *Red civil airway No. 74 (Biloxi, Miss., to Brookley AFB, Ala.).* From the Keesler AFB radio range station, Biloxi, Miss., via the intersection of the southeast course of the Keesler AFB radio range with the centerline of Red civil airway No. 30; Mobile, Ala., nondirectional radio beacon to the Brookley AFB, Ala., nondirectional radio beacon.

11. Section 600.301 *Red civil airway No. 101 (Biloxi, Miss., to Pensacola, Fla.)* is revoked.

12. Section 600.310 *Red civil airway No. 110 (Mobile, Ala., to Pensacola, Fla.)* is revoked.

13. Section 600.624 is added to read:

§ 600.624 *Blue civil airway No. 24 (Brookley AFB, Ala., to Axis, Ala.).* From the Brookley AFB, Ala., nondirectional radio beacon to the intersection of a line bearing 360° True from the Brookley AFB nondirectional radio beacon with the centerline of Green civil airway No. 6.

14. Section 600.647 is amended to read:

§ 600.647 *Blue civil airway No. 47 (Blackstone, Va., to Philipsburg, Pa.).* From the intersection of the northeast course of the Raleigh, N. C., radio range and the south course of the Blackstone, Va., radio range via the Blackstone, Va., radio range station; Gordonsville, Va., radio range station; the intersection of the west course of the Quantico, Va. (Navy), radio range and the southeast course of the Front Royal, Va., radio range; Front Royal, Va., radio range station; intersection of the north course of the Front Royal, Va., radio range and the southeast course of the Pittsburgh, Pa., radio range; the intersection of the southeast course of the Pittsburgh, Pa., radio range and the south course of the Altoona, Pa., radio range; Altoona, Pa., radio range station to the Philipsburg, Pa., radio range station.

15. Section 600.6002 *VOR civil airway No. 2 (Seattle, Wash., to Boston, Mass.)* is amended by changing the portion which reads: "Mullan Pass, Mont., omnirange station, including a north alternate via the intersection of the Spokane omnirange 070° and the Mullan Pass omnirange 291° radials; Missoula, Mont., omnirange station;" to read: "Mullan Pass, Mont., omnirange station, including a north alternate via the intersection of the Spokane omnirange 070° and the Mullan Pass omnirange 291° radials, and also a south alternate from the Ephrata omnirange station to the Mullan Pass omnirange station via the intersection of the Ephrata omnirange 096° and the Mullan Pass omnirange 260° radials; Missoula, Mont., omnirange station;".

16. Section 600.6004 *VOR civil airway No. 4 (Seattle, Wash., to Washington, D. C.)* is amended by changing the portion which reads: "Kansas City, Mo., omnirange station, including a north alternate; Columbia, Mo., omnirange station, including a north alternate from the Kansas City omnirange station to the Columbia omnirange station via the intersection of the Kansas City omnirange 077° True and the Columbia omnirange 292° True radials and also a south alternate from the Topeka omnirange station to the Columbia omnirange station via the point of intersection of the Topeka omnirange 099° True and the Blue Springs omnirange 268° True, the Blue Springs omnirange station and the intersection of the Blue Springs omnirange 094° True and the Columbia omnirange 261° True radials; St. Louis, Mo., omnirange station, including a north and a south alternate; Troy, Ill., omnirange station;" to read: "Kansas City, Mo., omnirange station, including a north alternate and also a south alternate via the intersection of the Topeka 099° and the Kansas City omnirange 231° radials; Marshall, Mo., VORTAC; Columbia, Mo., omnirange station, including a north alternate from the Kansas City omnirange station to the Columbia omnirange station via the intersection of the Kansas City omnirange 076° and the Columbia omnirange 292° radials; St. Louis, Mo., omnirange station, including a north alternate; Troy, Ill., omnirange station;".

17. Section 600.6006 *VOR civil airway No. 6 (Oakland, Calif., to New York, N. Y.)* is amended by changing the portion between "Battle Mountain, Nev., omnirange station;" and "Lucin, Utah, omnirange station;" to read "Battle Mountain Nev., omnirange station, including a north alternate via the intersection of the Lovelock omnirange 053° and the Battle Mountain omnirange 264° radials; intersection of the Battle Mountain omnirange 062° and the Wells omnirange 256° radials; Wells, Nev., omnirange station; Lucin, Utah, omnirange station;" and by changing the portion which reads: "Iowa City, Iowa, omnirange station including a north alternate via the intersection of the Des Moines omnirange 071° True and the Iowa City omnirange 283° True radials and also a south alternate via the intersection of the Des Moines omnirange 112° True and the Iowa City omnirange 252° True radials;" to read: "Iowa City, Iowa, omnirange station, including a south alternate via the intersection of the Des Moines omnirange 112° and the Iowa City omnirange 252° radials;".

18. Section 600.6011 *VOR civil airway No. 11 (Memphis, Tenn., to Detroit, Mich.)* is amended by changing all after "Indianapolis, Ind., omnirange station, including an east alternate via the intersection of the Scotland omnirange 041° True and the Indianapolis omnirange 185° True radial, and a west alternate via the intersection of the Scotland omnirange 011° True and the Indianapolis omnirange 230° True radials;" to read: "Indianapolis, Ind., omnirange station, including an east alternate via the intersection of the Scotland omnirange 041° and the Indianapolis omnirange 185° radials, and a west alternate via the intersection of the Scotland omnirange 011° and the Indianapolis omnirange 230° radials; intersection of the Indianapolis omnirange 021° and the Fort Wayne VORTAC 232° radials; Fort

Wayne, Ind., VORTAC; intersection of the Fort Wayne VORTAC 031° and the Salem omnirange 227° radials; to the Salem, Mich., omnirange station."

19. Section 600.6012 *VOR civil airway No. 12 (Santa Barbara, Calif., to Philadelphia, Pa.)* is amended by changing the portion which reads: "Emporia, Kans., omnirange station, including a north alternate via the point of intersection of the Wichita omnirange direct radial to the point of intersection of the Hutchinson omnirange 062° True and the Topeka, Kans., omnirange 236° True radials with the Emporia omnirange direct radials to the Hutchinson, Kans., omnirange station; Kansas City, Mo., omnirange station; Columbia, Mo., omnirange station, including a north alternate via the intersection of the Kansas City omnirange 077° True and the Columbia omnirange 292° True radials; St. Louis, Mo., omnirange station, including a north and a south alternate; Vandalia, Ill., omnirange station; Terre Haute, Ind., omnirange station; Indianapolis, Ind., omnirange station, including a south alternate via the intersection of the Terre Haute omnirange 082° True and the Indianapolis omnirange 230° True radials; point of intersection of the Indianapolis omnirange 084° True and the Dayton omnirange 261° True radials; Dayton, Ohio, omnirange station, including a north alternate from the Indianapolis omnirange station to the Dayton omnirange station via the point of intersection of the Indianapolis omnirange 069° True and the Fort Wayne, Ind., omnirange 182° True radials; Appleton, Ohio, omnirange station, including a south alternate via the point of intersection of the Dayton omnirange 099° True and the Appleton omnirange 244° True radials;" to read: "Emporia, Kans., omnirange station, including a north alternate via the point of intersection of the Wichita omnirange direct radial to the point of intersection of the Hutchinson, Kans., omnirange 062° and the Topeka, Kans., omnirange 236° radials with the Emporia omnirange direct radial to the Hutchinson, Kans., omnirange station; point of intersection of the Topeka, Kans., omnirange 099° radial with the Emporia direct radial to the Kansas City, Mo., omnirange station; point of intersection of the Topeka, Kans., omnirange 099° and the Blue Springs omnirange 268° radials; Blue Springs, Mo., omnirange station; Blackwater, Mo., omnirange station; Readsville, Mo., omnirange station; Maryland Heights, Mo., omnirange station; Troy, Ill., omnirange station; Bible Grove, Ill., omnirange station; Lewis, Ind., omnirange station; Shelbyville, Ind., omnirange station; point of intersection of the Cincinnati, Ohio, omnirange 004° and the Dayton omnirange 209° radials; Dayton, Ohio, omnirange station; Appleton, Ohio, omnirange station, including a south alternate via the intersection of the Dayton omnirange 099° and the Appleton omnirange 244° radials;" and by adding a last sentence to read: "The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Lake City restricted area R-307 is excluded during its time of designation."

20. Section 600.6016 *VOR civil airway No. 16 (Los Angeles, Calif., to Boston, Mass.)* is amended by changing all before "Blythe, Calif., omnirange station;" to read: "That airspace over the United States territory from the Los Angeles, Calif., omnirange station via the Ontario, Calif., omnirange station; intersection of the Ontario 091° and the Blythe omnirange 290° radials; Blythe, Calif., omnirange station;".

21. Section 600.6022 *VOR civil airway No. 22 (New Orleans, La., to Jacksonville, Fla.)* is amended by changing all before "Marianna, Fla., omnirange station;" to read "From the St. Rose, La., nondirectional radio beacon via the intersection of a line bearing 078° from the St. Rose radio beacon and the Mobile, Ala., omnirange 230° radial; Brookley AFB, Ala., terminal omnirange station; Pensacola (Saufley Field), Fla., omnirange station; Crestview, Fla., omnirange station; Marianna, Fla., omnirange station;" and by adding a last sentence to read: "The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Valparaiso restricted area (R-383) is excluded during its time of designation."

22. Section 600.6023 *VOR civil airway No. 23 (San Diego, Calif., to Bellingham, Wash.)* is amended by changing the portion which reads: "Los Angeles, Calif., omnirange station; intersection of the Los Angeles omnirange 355° True and the Bakersfield omnirange 149° True radials; Bakersfield, Calif., omnirange station;" to read: "Los Angeles, Calif., omnirange station; intersection of the Los Angeles, Calif., 355° and the Lake Hughes omnirange 158° radials; Lake Hughes, Calif., omnirange station; intersection of the Lake Hughes omnirange 339° and the Bakersfield omnirange 149° radials; Bakersfield, Calif., omnirange station;".

23. Section 600.6025 *Vor civil airway No. 25 (Los Angeles, Calif., to Ellensburg, Wash.)* is amended by changing the portion which reads: "From the Camarillo, Calif., MF radio range via the Santa Barbara, Calif., omnirange station; Paso Robles, Calif., omnirange station; intersection of the Paso Robles omnirange 335° True and the Agnew omnirange 141° True radials; Agnew, Calif., omnirange station;" to read: "From the Los Angeles, Calif., omnirange station via the intersection of the Los Angeles omnirange 257° and the Oxnard omnirange 155° radials; Oxnard, Calif., omnirange station; Santa Barbara, Calif., omnirange station; Paso Robles, Calif., omnirange station; intersection of the Paso Robles omnirange 336° and the Agnew omnirange 141° radials; Agnew, Calif., omnirange station;" and by changing the portion which reads: "to the Ellensburg, Wash., omnirange station, excluding the portions of this airway which overlap the Yakima restricted area (R-247)." to read: "to the Ellensburg, Wash., omnirange station. The portions of this airway which lie within the geographic limits of, and between the designated altitudes of, the Point Mugu restricted area (R-100) and the Yakima restricted area (R-247) are excluded during their times of designation. The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Point Mugu warning area (W-289) is excluded during its time of designation."

24. Section 600.6027 is amended to read:

§ 600.6027 *VOR civil airway No. 27 (Los Angeles, Calif., to Seattle, Wash.).* From the Los Angeles, Calif., omnirange station via the intersection of the Los Angeles omnirange 257° and the Oxnard omnirange 155° radials; Oxnard, Calif., omnirange station; Santa Barbara, Calif., omnirange station; Paso Robles omnirange station, including a west alternate via the intersection of the Santa Barbara omnirange 304° and the Paso Robles omnirange 169° radials; intersection of the Paso Robles omnirange 336° and the Salinas omnirange 134° radials; Salinas, Calif., omnirange station, including a west alternate from the Paso Robles omnirange to the Salinas omnirange via the intersection of the Paso Robles omnirange 314° and the Salinas omnirange 150° radials; intersection of the Salinas omnirange 319° and the Point Reyes omnirange 155° radials; Point Reyes, Calif., omnirange station, including a west alternate from the Salinas omnirange to the Point Reyes omnirange via the intersection of the Salinas omnirange 302° and the Point Reyes omnirange 155° radials; intersection of the Point Reyes omnirange 352° and the Ukiah omnirange 147° radials; Ukiah, Calif., omnirange station; Fortuna, Calif., omnirange station; Crescent City, Calif., omnirange station; North Bend, Oreg., omnirange station; Newport, Oreg., omnirange station; Hoquiam, Wash., omnirange station; to the Seattle, Wash., omnirange station. The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Point Mugu warning area (W-289) is excluded during its time of designation. The portions of this airway which lie within the geographic limits of, and between the designated altitudes of, the Point Mugu restricted area (R-100), Fort Ord restricted area (R-284), Camp Roberts restricted area (R-415), Camp Cooke restricted area (R-531) and the Olympic restricted area (R-241) are excluded during these restricted areas times of designation.

25. Section 600.6032 *VOR civil airway No. 32 (Battle Mountain, Nev., to Fort Bridger, Wyo.)* is amended by changing the portion which reads: "From the Battle Mountain, Nev., omnirange station via the Elko, Nev., omnirange station;" to read: "From the Battle mountain, Nev., omnirange station via the Elko, Nev., omnirange station, including a north alternate via the Battle Mountain omnirange 062° and the Elko omnirange 273° radials."

26. Section 600.6034 *VOR civil airway No. 34 (Rochester, N. Y. to Wilton, Conn.)* is amended by changing the portion which reads: "to the point of intersection of the Wilton omnirange 090° True and the Norwich, Conn., omnirange

224° True radials." to read: "to the point of intersection of the Wilton omnirange 090° and the Norwich, Conn., omnirange 227° radials."

27. Section 600.6045 *VOR civil airway No. 45 (New Bern, N. C., to Saginaw, Mich.)* is amended by changing all before "Pulaski, Va., omnirange station;" to read: "From the New Bern, N. C., omnirange station via the intersection of the New Bern omnirange 297° and the Raleigh omnirange 121° radials; Raleigh, N. C., omnirange station; Greensboro, N. C., omnirange station, including an east alternate via the intersection of the Raleigh omnirange 305° and the Greensboro, N. C., 051° radials and also a west alternate via the intersection of the Raleigh omnirange direct radial to the Charlotte, N. C., omnirange station with the Greensboro omnirange 122° radial; Pulaski, Va., omnirange station;".

28. Section 600.6050 is amended to read:

§ 600.6050 *VOR civil airway No. 50 (Kirksville, Mo., to Dayton, Ohio).* From the Kirksville, Mo., omnirange station via the Quincy, Ill., omnirange station, including a south alternate via the intersection of the Kirksville omnirange 121° and the Quincy omnirange 258° radials; Springfield, Ill., omnirange station; Terre Haute, Ind., omnirange station; to the point of intersection of the Terre Haute omnirange 082° radial and the Indianapolis, Ind., Wier Cook Airport ILS localizer 225° course. From the Indianapolis, Ind., omnirange station via the intersection of the Indianapolis omnirange 084° and the Dayton omnirage 261° radials; Dayton, Ohio, omnirange station, including a north alternate from the Indianapolis omnirange station to the Dayton omnirange station via the point of intersection of the Indianapolis, Ind., omnirange 069° and the Fort Wayne, Ind., omnirange 187° radials.

29. Section 600.6055 is amended to read:

§ 600.6055 *VOR civil airway No. 55 (Dayton, Ohio, to Green Bay, Wis.).* From the Dayton, Ohio, omnirange station via the Fort Wayne, Ind., VORTAC, including a west alternate via the intersection of the Dayton omnirange 310° and the Fort Wayne VORTAC 163° radials; Goshen, Ind., omnirange station, including a west alternate via the point of intersection of the Fort Wayne VORTAC direct radial to the Peotone, Ill., omnirange station with the Goshen omnirange 168° radial; South Bend, Ind., omnirange station; Keeler, Mich., omnirange station; Pullman, Mich., omnirange station; Muskegon, Mich., VORTAC; intersection of the Muskegon VORTAC 342° and the Green Bay omnirange 118° radials; to the Green Bay, Wis., omnirange station.

30. Section 600.6058 *VOR civil airway No. 58 (Bergholz, Ohio, to Hartford, Conn.)* is amended by changing the portion which reads: "to the point of intersection of the Hartford omnirange 130° True and the Riverhead, N. Y., omnirange 042° True radials." to read: "to the point of intersection of the Hartford omnirange 130° and the Norwich, Conn., omnirange 227° radials."

31. Section 600.6064 is amended to read:

§ 600.6004 *VOR civil airway No. 64 (Los Angeles, Calif., to Blythe, Calif.).* From the point of intersection of the Long Beach omnirange 287° and the Los Angeles omnirange 149° radials; via the Long Beach, Calif., omnirange station; Thermal, Calif., omnirange station; to the Blythe, Calif., omnirange station.

32. Section 600.6072 is amended to read:

§ 600.6072 *VOR civil airway No. 72 (Troy, Ill., to Albany, N. Y.).* From the Troy, Ill., omnirange station via the Vandalia, Ill., omnirange station; Lafayette, Ind., omnirange station; to the point of intersection of the Lafayette omnirange 089° and the Fort Wayne, Ind., VORTAC 232° radials. From the Findlay, Ohio, omnirange station via the Cleveland, Ohio, omnirange station; Youngstown, Ohio, omnirange station; point of intersection of the Fitzgerald, Pa., omnirange 304° and the Bradford omnirange 260° radials; Bradford, Pa., omnirange station; point of intersection of the Bradford omnirange 078° radial with the Stonyfork, Pa., omnirange direct radial to the Wellsville, N. Y., omnirange station; Elmira, N. Y., omnirange station; Binghamton, N. Y., omnirange station; Rockdale, N. Y., omnirange station; to the Albany, N. Y., omnirange station.

33. Section 600.6074 *VOR civil airway No. 74 (Hugo, Colo., to Pine Bluff, Ark.)* is amended by changing the portion which reads: "From the Hugo, Colo., omnirange station via the intersection of the Hugo omnirange 112° and the Garden City VORTAC 296° radials; Garden City, Kans., VORTAC;" to read: "From the Hugo, Colo., omnirange station via the intersection of the Hugo omnirange 113° and the Garden City VORTAC 296° radials; Garden City, Kans., VORTAC;".

34. Section 600.6081 is amended to read:

§ 600.6081 *VOR civil airway No. 81 (Midland, Tex., to Salt Lake City, Utah).* From the Midland, Tex., omnirange station via the Lubbock, Tex., omnirange station; Amarillo, Tex., omnirange station, including an east alternate; Dalhart, Tex., omnirange station, including an east alternate; Tobe, Colo., VORTAC; to the Pueblo, Colo., omnirange station. From the Grand Junction, Colo., omnirange station via the Myton, Utah, omnirange station; to the Salt Lake City, Utah, omnirange station.

35. Section 600.6095 is amended to read:

§ 600.6095 *VOR civil airway No. 95 (Phoenix, Ariz., to Farmington, N. Mex.).* From the Phoenix, Ariz., ominrange station via the intersection of the Phoenix omnirange 004° and the Winslow omnirange 224° radials; Winslow, Ariz., omnirange station; to the Farmington, N. Mex., omnirange station.

36. Section 600.6096 is amended to read:

§ 600.6096 *VOR civil airway No. 96 (Lafayette, Ind., to Toledo, Ohio).* From the Lafayette, Ind., omnirange station via the intersection of the Lafayette 089° and the Fort Wayne VORTAC 232° radials; Fort Wayne, Ind., VORTAC; to the Waterville, Ohio, omnirange station.

37. Section 600.6107 *VOR civil airway No. 107 (Los Angeles, Calif., to Red Bluff, Calif.)* is amended by changing the portion which reads: "Fillmore, Calif., omnirange station; Coalinga, Calif., omnirange station; Oakland, Calif., omnirange station;" to read: "Fillmore, Calif., omnirange station; intersection of the Fillmore omnirange 318° and the Avenal omnirange 151° radials; Avenal, Calif., omnirange station; Panoche, Calif., omnirange station; Oakland, Calif., omnirange station;".

38. Section 600.6109 *VOR civil airway No. 109 (Paso Robles, Calif., to Fresno, Calif.) is revoked.*

39. Section 600.6109 is added to read:

§ 600.6109 *VOR civil airway No. 109 (Panoche, Calif., to Oakland, Calif.).* From the Panoche, Calif., omnirange station via the intersection of the Panoche omnirange 343° and the Oakland omnirange 078° radials; to the Oakland, Calif., omnirange station. The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Vernalis restricted area (R–280) is excluded during its time of designation.

40. Section 600.6111 is amended to read:

§ 600.6111 *VOR civil airway No. 111 (Salinas, Calif., to Los Banos, Calif.).* From the Salinas, Calif., omnirange station to the point of intersection of the Salinas omnirange 041° radial with the Panoche, Calif., omnirange direct radial to the Oakland, Calif., omnirange station.

41. Section 600.6113 is amended to read:

§ 600.6113 *VOR civil airway No. 113 (Paso Robles, Calif., to Reno, Nev.).* From the Paso Robles, Calif., omnirange station via the Panoche, Calif., omnirange station; intersection of the Panoche omnirange 343° and the Modesto omnirange 205° radials; Modesto, Calif., omnirange station; to the Reno, Nev., omnirange station. The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Vernalis restricted area (R–280) is excluded during its time of designation.

42. Section 600.6120 is amended to read:

§ 600.6120 *VOR civil airway No. 120 (Mullan Pass, Mont., to Miles City, Mont.).* From the Mullan Pass, Mont., omnirange station via the Great Falls, Mont., omnirange station; Lewiston, Mont., omnirange station; to the Miles City, Mont., omnirange station.

43. Section 600.6135 is amended to read:

§ 600.6135 *VOR civil airway No. 135 (Yuma, Ariz., to Tonopah, Nev.).* From the Yuma, Ariz., omnirange station via the Blythe, Calif., omnirange station;

Rice, Calif., omnirange station; Needles, Calif., omnirange station; to the Las Vegas, Nev., omnirange station. From the point of intersection of the Tonopah omnirange 198° radial with the Coaldale, Nev., omnirange direct radial to Beatty, Nev., omnirange to the Tonopah, Nev., omnirange station.

44. Section 600.6137 *VOR civil airway No. 137 (Thermal, Calif., to Ukiah, Calif.)* is amended by changing all before Agnew, Calif., omnirange station to read: "From the Thermal, Calif., omnirange station via the Palmdale, Calif., omnirange station; Gorman, Calif., omnirange station; intersection of the Gorman omnirange 288° and the Avenal omnirange 151° radials; Avenal, Calif., omnirange station; to the Panoche, Calif., omnirange station. From the Salinas, Calif., omnirange station via the Agnew, Calif., omnirange station;".

45. Section 600.6165 is amended by changing the caption to read: "§ 600.6165 *VOR civil airway No. 165 (Long Beach, Calif., to Bakersfield, Calif.)*" and by changing the portion which reads: "Bakersfield, Calif., omnirange station; to the Coalinga, Calif., omnirange station." to read: "Bakersfield, Calif., omnirange station."

46. Section 600.6169 is amended to read:

§ 600.6169 *VOR civil airway No. 169 (Tobe, Colo., to Rapid City, S. Dak.).* From the Tobe, Colo., VORTAC via the Hugo, Colo., omnirange station; Thurman, Colo., omnirange station; to the Akron, Colo., omnirange station. From the Sidney, Nebr., omnirange station via the intersection of the Sidney omnirange 335° and the Chadron omnirange 197° radials; Chadron, Nebr., omnirange station; to the Rapid City, S. Dak., omnirange station, including an east alternate. The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Scenic restricted area (R–190) is excluded during its time of designation.

47. Section 600.6177 is amended to read:

§ 600.6177 *VOR civil airway No. 177 (Fort Wayne, Ind., to Janesville, Wis.).* From the Fort Wayne, Ind., VORTAC via the point of intersection of the Chicago Heights omnirange 128° radial with the Peotone omnirange direct radial to the Fort Wayne VORTAC; Chicago Heights, Ill., omnirange station. From the Naperville, Ill., omnirange station to the Janesville, Wis., omnirange station.

48. Section 600.6187 is amended to read:

§ 600.6187 *VOR civil airway No. 187 (Albuquerque, N. Mex., to Billings, Mont.).* From the Albuquerque, N. Mex., omnirange station to the Farmington, N. Mex., omnirange station. From the Grand Junction, Colo., omnirange station to the Rock Springs, Wyo., omnirange station. From the Boysen Reservoir, Wyo., VORTAC to the Billings, Mont., omnirange station.

49. Section 600.6194 *VOR civil airway No. 194 (Lafayette, La., to Norfolk, Va.)* is amended by changing the portion which reads: "Charlotte, N. C., omnirange station; intersection of the Charlotte omnirange 067° and the Raleigh omnirange 240° radials; Raleigh, N. C., omnirange station;" to read: "Charlotte, N. C., omnirange station; Raleigh, N. C., omnirange station;".

50. Section 600.6200 *VOR civil airway No. 200 (Ukiah, Calif., to Kremmling, Colo.)* is amended by changing all after "Myton, Utah, omnirange station;" to read: "Myton, Utah, omnirange station; Meeker, Colo., VORTAC; to the Kremmling, Colo., omnirange station."

51. Section 600.6209 *VOR civil airway No. 209 (Los Angeles, Calif., to Paso Robles, Calif.)* is revoked.

52. Section 600.6210 is amended to read:

§ 600.6210 *VOR civil airway No. 210 (Los Angeles, Calif., to Wheeling, W. Va.).* From the Los Angeles, Calif., omnirange station via the point of intersection of the Los Angeles omnirange 057° and the Daggett omnirange 235° radials; point of intersection of the Daggett omnirange 235° and the Hector omnirange 265° radials; Hector, Calif., omnirange station; Goffs, Calif., omnirange station; Valle, Ariz., omnirange station; Farmington, N. Mex., omnirange station; Alamosa, Colo., omnirange station, including a south alternate via the intersection of the Farmington omnirange 090° and the Alamosa omnirange 232° radials; to the Pueblo, Colo., omnirange station, including a south alternate via the point of intersection of the Alamosa omnirange direct radial to the Lamar, Colo., omnirange station with the Las Vegas, N. Mex., omnirange direct radial to the Pueblo omnirange station. From the Kansas City, Mo., omnirange station via the Marshall, Mo., VORTAC; Columbia, Mo., omnirange station, including a north alternate via the intersection of the Kansas City omnirange 076° and the Columbia omnirange 292° radials; St. Louis, Mo., omnirange station, including a north alternate; Vandalia, Ill., omnirange station; Terre Haute, Ind., omnirange station; Indianapolis, Ind., omnirange station, including a south alternate via the intersection of the Terre Haute omnirange 082° and the Indianapolis omnirange 230° radials; point of intersection of the Indianapolis 069° and the Fort Wayne, Ind., omnirange 187° radials; Sidney, Ohio, omnirange station; Tiverton, Ohio, omnirange station; intersection of the Tiverton omnirange 096° and the Wheeling omnirange 282° radials; to the Wheeling, W. Va., omnirange station.

53. Section 600.6214 is amended to read:

§ 600.6214 *VOR civil airway No. 214 (Columbus, Ohio, to Wheeling, W. Va.).* From the Columbus, Ohio, Port Columbus Airport ILS localizer via the Zanesville, Ohio, omnirange station; point of intersection of the Parkersburg, W. Va., omnirange 006° and the Wheeling omnirange 252° radials; to the Wheeling, W. Va., omnirange station.

54. Section 600.6220 is amended to read:

§ 600.6220 *VOR civil airway No. 220 (Kremmling, Colo., to Wolbach, Nebr.).* From the Kremmling, Colo., omnirange station via the point of intersection of the Kremmling omnirange 081° and the Denver, Colo., omnirange 334° radials; Akron, Colo., omnirange station; Imperial, Nebr., omnirange station; intersection of the Imperial omnirange 078° and the Wolbach omnirange 242° radials; to the Wolbach, Nebr., omnirange station.

55. Section 600.6230 is amended to read:

§ 600.6230 *VOR civil airway No. 230 (Salinas, Calif., to Fresno, Calif.).* From the Salinas, Calif., omnirange station via the Panoche, Calif., omnirange station; to the Fresno, Calif., omnirange station.

56. Section 600.6242 is amended to read:

§ 600.6242 *VOR civil airway No. 242 (Mobile, Ala., to Brookley AFB, Ala.).* From the Mobile, Ala., omnirange station to the Brookley AFB, Ala., terminal omnirange station.

57. Section 600.6248 is amended to read:

§ 600.6248 *VOR civil airway No. 248 (Paso Robles, Calif., to Bakersfield, Calif.).* From the Paso Robles, Calif., omnirange station via the Avenal, Calif., omnirange station; to the Bakersfield, Calif., omnirange station.

58. Section 600.6259 is amended to read:

§ 600.6259 *VOR civil airway No. 259 (Charlotte, N. C., to Tri-City, Tenn.).* From the Charlotte, N. C., omnirange station to the Tri-City, Tenn., omnirange station, including an east alternate from the Charlotte omnirange to the Tri-City omnirange station via the Hickory, N. C., omnirange station and the intersection of the Hickory omnirange 298° and the Tri-City omnirange 146° radials.

59. Section 600.6264 is added to read:

§ 600.6264 *VOR civil airway No. 264 (Los Angeles, Calif., to Prescott, Ariz.).* From the Los Angeles, Calif., omnirange station via the Ontario, Calif., omnirange station intersection of the Ontario omnirange 091° and the Rice omnirange 258° radials; Rice, Calif., omnirange station; to the Prescott, Ariz., omnirange station.

60. Section 600.6267 *VOR civil airway No. 267 (Miami, Fla., to Jacksonville, Fla.)* is amended by changing the last sentence to read: "The portions of this airway which lie within the geographic limits of, and between the designated altitudes of, the Jacksonville restricted area (R–161A) and the Sterling restricted areas (R–169 and R–170) are excluded during the times of designation of these restricted areas."

61. Section 600.6278 is amended to read:

§ 600.6278 *VOR civil airway No. 278 (Guthrie, Tex., to Greenwood, Miss.).* From the Guthrie, Tex., omnirange station to the Fort Worth, Tex., omnirange station. From the Dallas, Tex., omni-

range station via the intersection of the Dallas omnirange 057° and the Texarkana omnirange 271° radials; Texarkana, Ark., omnirange station; to the Greenwood, Miss, omnirange station.

62. Section 600.6298 is added to read:

§ 600.6298 *VOR civil airway No. 298 (Dubois, Idaho, to Casper, Wyo.).* From the Dubois, Idaho, omnirange station via the Boysen Reservoir, Wyo., VORTAC; to the Casper, Wyo, omnirange station.

63. Section 600.6300 is added to read:

§ 600.6300 *VOR civil airway No. 300 (Sault Ste. Marie, Mich., to Toronto, Ontario).* From the Sault Ste. Marie, Mich., omnirange station via the Wiarton, Ontario, omnirange station, including a north alternate; to the Toronto, Ontario, omnirange station.

64. Section 600.6424 is added to read:

§ 600.6424 *VOR civil airway No. 424.* [Unassigned.]

65. Section 600.6425 is added to read:

§ 600.6425 *VOR civil airway No. 425 (Brookley AFB, Ala., to Axis, Ala.).* From the Brookley AFB, Ala., terminal omnirange station to the point of intersection of the Brookley AFB terminal omnirange 360° radial with the Mobile, Ala., omnirange direct radial to the Evergreen, Ala., omnirange station.

66. Section 600.6612 *VOR civil airway No. 1512 (Los Angeles, Calif., to New York, N. Y.)* is amended by changing the portion which reads: "Quincy, Ill., omnirange station; to the Springfield, Ill., omnirange station, including a south alternate from the Kansas City, Mo., omnirange to the Indianapolis, Ind., omnirange station via the Columbia, Mo., omnirange station, the St. Louis, Mo., omnirange station, the Vandalia, Ill., omnirange station and the Terre Haute, Ind., omnirange station." to read: "Quincy, Ill., omnirange station; to the Springfield, Ill., omnirange station, including a south alternate from the Kansas City, Mo., omnirange station to the Indianapolis, Ind., omnirange station via the Marshall, Mo., VORTAC, the Columbia, Mo., omnirange station, the St. Louis, Mo., omnirange station, the Vandalia, Ill., omnirange station and the Terre Haute, Ind., omnirange station."

67. Section 600.6614 *VOR civil airway No. 1514 (San Francisco, Calif., to New York, N. Y.)* is amended by changing the portion which reads: "Quincy, Ill., omnirange station to the Springfield, Ill., omnirange station, including a south alternate from the Kansas City, Mo., omnirange station to the Indianapolis, Ind., omnirange station via the Columbia, Mo., omnirange station, the St. Louis, Mo., omnirange station, the Vandalia, Ill., omnirange station and the Terre Haute, Ind., omnirange station." to read: "Quincy, Ill., omnirange station; to the Springfield, Ill., omnirange station, including a south alternate from the Kansas City, Mo., omnirange station to the Indianapolis, Ind., omnirange station via the Marshall, Mo., VORTAC, the Columbia, Mo., omnirange station, the St. Louis, Mo., omnirange station, the Vandalia, Ill., omnirange station and the Terre Haute, Ind., omnirange station."

68. Section 600.6622 *VOR civil airway No. 1522 (Los Angeles, Calif., to Washington, D. C.)* is amended by changing all before "Blythe, Calif., omnirange station," to read: "That airspace over the United States territory from the Los Angeles, Calif., omnirange station via the Ontario, Calif., omnirange station; intersection of the Ontario omnirange 091° and the Blythe omnirange 290° radials; Blythe, Calif., omnirange station;".

69. Section 600.6629 is amended to read:

§ 600.6629 *VOR civil airway No. 1529 (Los Angeles, Calif., to United States-Canadian Border).* From the Los Angeles, Calif., omnirange station via the intersection of the Los Angeles omnirange 057° and the Daggett omnirange 235° radials; Daggett, Calif., omnirange station; Las Vegas, Nev., omnirange station; Mormon Mesa, Nev., omnirange station; Milford, Utah, omnirange station; Myton, Utah, omnirange station; Rawlins-Cherokee, Wyo., omnirange station; Casper, Wyo., omnirange station; Dickinson, N. Dak., omnirange station; Pembina, N. Dak., radio range station; to the United States-Canadian Border via a direct line from the Pembina radio range station to the Kenora, Ont., radio range station.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t. August 28, 1958.

[SEAL] WILLIAM B. DAVIS,
Acting Administrator of Civil Aeronautics.

JULY 25, 1958.

[F. R. Doc. 58-5912; Filed, Aug. 1, 1958; 8:45 a. m.]

[Amdt. 15]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

ALTERATIONS

The control area, control zone and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Division, and are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 601 is amended as follows:

1. Section 601.261 is amended to read:

§ 601.261 *Red civil airway No. 61 control areas (Butler, Pa., to Johnstown, Pa.).* All of Red civil airway No. 61.

2. Section 601.274 is amended by changing the caption to read: "*Red civil airway No. 74 control areas (Biloxi, Miss., to Brookley AFB, Ala.).*"

3. Section 601.301 *Red civil airway No. 101 control areas (Biloxi, Miss., to Pensacola, Fla.)* is revoked.

4. Section 601.310 *Red civil airway No. 110 control areas (Mobile, Ala., to Pensacola, Fla.)* is revoked.

5. Section 601.624 is added to read:

§ 601.624 *Blue civil airway No. 24 control areas (Brookley AFB, Ala., to Axis, Ala.).* All of Blue civil airway No. 24.

6. Section 601.1020 is amended to read:

§ 601.1020 *Control area extension (Macon, Ga.).* The airspace bounded on the south by latitude 32°00'00", on the west by VOR civil airway No. 97, on the north by the Atlanta, Ga., control area extension (601.1052) and VOR civil airway No. 18, and on the east by a line extending from a point at latitude 33°31'00", longitude 82°30'00", to a point at latitude 32°15'00", longitude 82°30'00", to a point at latitude 32°00'00", longitude 82°51'00".

7. Section 601.1050 is amended to read:

§ 601.1050 *Control area extension (Bakersfield, Calif.).* Within 5 miles either side of the southwest course of the Bakersfield radio range extending from the radio range station to a point 25 miles southwest.

8. Section 601.1095 *Control area extension (Fort Wayne, Ind.)* is revoked.

9. Section 601.1095 is added to read:

§ 601.1095 *Control area extension (Mountain Home, Idaho).* The airspace southeast of Mountain Home bounded on the northeast by VOR civil airway No. 253, on the east by VOR civil airway No. 269, on the southwest by a line 5 miles southwest of and parallel to a direct line drawn between the Twin Falls omnirange station and the Mountain Home AFB terminal omnirange station, and on the west by the Mountain Home control area extension (601.1306). The portions of this control area extension which lie within the geographic limits of, and between the designated altitudes of, the Sailor Creek restricted area (R-254) shall not be used by aircraft during the time of designation of this restricted area unless prior approval is obtained from Civil Aeronautics Administration Air Traffic Control.

10. Section 601.1126 is amended to read:

§ 601.1126 *Control area extension (Knoxville, Tenn.).* The airspace within a 40-mile radius of the Knoxville radio range station beginning at a point south of Knoxville on the centerline of VOR civil airway No. 97, extending counterclockwise to a point east of Knoxville on the centerline of VOR civil airway No. 16, thence eastward to and including the airspace within a 50-mile radius of the Knoxville omnirange station beginning at a point east of Knoxville on the centerline of VOR civil airway No. 16 and extending counterclockwise to a point at latitude 36°06'30", longitude 84°45'00", thence bounded on the northwest by a straight line from this point

to a point at latitude 36°00'00", longitude 84°56'45", thence bounded on the west by VOR civil airway No. 51, on the southwest by the Chattanooga control area extension (601.1373), on the south by VOR civil airway No. 54, and on the east by the centerline of VOR civil airway No. 97 thence to point of beginning; the airspace northeast of Knoxville bounded on the southeast by VOR civil airway No. 16–N, on the northeast by VOR civil airway No. 53, and on the northwest by VOR civil airway No. 115. The airspace which lies within Prohibited Area P–78 is excluded.

11. Section 601.1396 is amended to read:

§ 601.1396 *Control area extension (Ashville, N. C.).* The airspace east of Ashville bounded on the northwest by VOR civil airway No. 222, on the east by VOR civil airway No. 259, on the southeast by VOR civil airway No. 20, and on the southwest by VOR civil airway No. 296.

12. Section 601.1983 *Three-mile radius zones* is amended by adding the following airport: Torrence, Calif.: Torrence Municipal Airport.

13. Section 601.1984 *Five-mile radius zones* is amended by deleting the following airport: Moses Lake, Wash.: Larson AFB.

14. Section 601.2099 is amended to read:

§ 601.2099 *Fort Wayne, Ind., control zone.* Within a 5-mile radius of Baer Field, Fort Wayne, Ind., within 2 miles either side of the southwest course of the Fort Wayne radio range extending from the radio range station to a point 10 miles southwest, within 2 miles either side of the ILS localizer front course extending from the localizer to a point 12 miles southeast of the ILS outer marker, and within 2 miles either side of the 103°, 232°, 259°, and 325° True radials of the omnirange extending to points 12 miles beyond the omnirange station.

15. Section 601.2264 is amended to read:

§ 601.2264 *Spokane, Wash., control zone.* Within a 5-mile radius of Geiger Field to and including a 5-mile radius of Fairchild AFB, Spokane, Wash.

16. Section 601.2428 is amended by changing the caption *"Butler, Pa., control zone"* to read: *"Butler, Mo., control zone."*

17. Section 601.2435 is added to read:

§ 601.2435 *Moses Lake, Wash., control zone.* Within a 5-mile radius of Larson AFB and within 2 miles west of and 1½ miles east of a line bearing 161° True extending from Larson AFB to the Moses Lake nondirectional radio beacon.

18. Section 601.4016 *Green civil airway No. 6 (Alice, Tex., to Norfolk, Va.)* is amended by deleting the following reporting point: "Bay Minette, Ala., nondirectional radio beacon;" and by substituting the following reporting point in lieu thereof: "Mobile, Ala., nondirectional radio beacon;".

19. Section 601.4217 is amended to read:

§ 601.4217 *Red civil airway No. 17 (St. Louis, Mo., to Baltimore, Md.).* The Scott AFB, Belleville, Ill., radio range station; the intersection of a line bearing 11° True from the Springfield, Va., nondirectional radio beacon and the west course of the Baltimore, Md., radio range; Baltimore, Md., radio range station.

20. Section 601.4230 *Red civil airway No. 30 (Shreveport, La., to Jacksonville, Fla.)* is amended by deleting the following reporting point: "the intersection of the west course of the Pensacola, Fla., radio range and the northeast course of the Saufley Field (Navy) radio range;" and by adding the following reporting points in lieu thereof: "Brookley AFB, Ala., nondirectional radio beacon; Saufley Field (Navy), Fla., nondirectional radio beacon;".

21. Section 601.4233 is amended to read:

§ 601.4233 *Red civil airway No. 33 (Norfolk, Va., to Boston, Mass.).* No reporting point designation.

22. Section 601.4261 is amended to read:

§ 601.4261 *Red civil airway No. 61 (Butler, Pa., to Johnstown, Pa.).* Butler, Pa., nondirectional radio beacon.

23. Section 601.4274 is amended by changing the caption to read: *"Red civil airway No. 74 (Biloxi, Miss., to Brookley AFB, Ala.)."*

24. Section 601.4301 *Red civil airway No. 101 (Biloxi, Miss., to Pensacola, Fla.)* is revoked.

25. Section 601.4310 *Red civil airway No. 110 (Mobile, Ala., to Pensacola, Fla.)* is revoked.

26. Section 601.4624 is added to read:

§ 601.4624 *Blue civil airway No. 24 (Brookley AFB, Ala., to Axis, Ala.).* No reporting point designation.

27. Section 601.6004 is amended to read:

§ 601.6004 *VOR civil airway No. 4 control areas (Seattle, Wash., to Washington, D. C.).* All of VOR civil airway No. 4 including north and south alternates, but excluding the airspace between the main airway and its south alternate between the Seattle, Wash., omnirange station and the Yakima, Wash., omnirange station.

28. Section 601.6032 is amended to read:

§ 601.6032 *VOR civil airway No. 32 (Battle Mountain, Nev., to Fort Bridger, Wyo.).* All of VOR civil airway No. 32 including north alternates.

29. Section 601.6050 is amended to read:

§ 601.6050 *VOR civil airway No. 50 control areas (Kirksville, Mo., to Dayton, Ohio).* All of VOR civil airway No. 50 including a north and south alternate.

30. Section 601.6064 is amended to read:

§ 601.6064 *VOR civil airway No. 64 control areas (Los Angeles, Calif., to Blythe, Calif.)* All of VOR civil airway No. 64.

31. Section 601.6095 is amended to read:

§ 601.6095 *VOR civil airway No. 95 control areas (Phoenix, Ariz., to Farmington, N. Mex.)* All of VOR civil airway No. 95.

32. Section 601.6109 *VOR civil airway No. 109 control areas (Paso Robles, Calif., to Fresno, Calif.)* is revoked.

33. Section 601.6109 is added to read:

§ 601.6109 *VOR civil airway No. 109 control areas (Panoche, Calif., to Oakland, Calif.).* All of VOR civil airway No. 109.

34. Section 601.6120 is amended to read:

§ 601.6120 *VOR civil airway No. 120 control areas (Mullan Pass, Mont., to Miles City, Mont.).* All of VOR civil airway No. 120.

35. Section 601.6165 is amended to read:

§ 601.6165 *VOR civil airway No. 165 control areas (Long Beach, Calif., to Bakersfield, Calif.).* All of VOR civil airway No. 165.

36. Section 601.6169 is amended to read:

§ 601.6169 *VOR civil airway No. 169 control areas (Tobe, Colo., to Rapid City, S. Dak.).* All of VOR civil airway No. 169.

37. Section 601.6177 is amended to read:

§ 601.6177 *VOR civil airway No. 177 control areas (Fort Wayne, Ind., to Janesville,, Wis.).* All of VOR civil airway No. 177.

38. Section 601.6187 is amended to read:

§ 601.6187 *VOR civil airway No. 187 control areas (Albuquerque, N. Mex., to Billings, Mont.).* All of VOR civil airway No. 187.

39. Section 601.6209 *VOR civil airway No. 209 control areas (Los Angeles, Calif., Paso Robles, Calif.)* is revoked.

40. Section 601.6210 is amended to read:

§ 601.6210 *VOR civil airway No. 210 control areas (Los Angeles, Calif., to Wheeling, W. Va.).* All of VOR civil airway No. 210 including north and south alternates.

41. Section 601.6214 is amended to read:

§ 601.6214 *VOR civil airway No. 214 control areas (Columbus, Ohio to Wheeling, W. Va.).* All of VOR civil airway No. 214.

42. Section 601.6220 is amended to read:

§ 601.6220 *VOR civil airway No. 220 control areas (Kremmling, Colo., to Wolbach, Nebr.).* All of VOR civil airway No. 220.

43. Section 601.6242 is amended to read:

§ 601.6242 *VOR civil airway No. 242 control areas (Mobile, Ala., to Brookley AFB, Ala.).* All of VOR civil airway No. 242.

44. Section 601.6259 is amended to read:

§ 601.6259 *VOR civil airway No. 259 control areas (Charlotte, N. C., to Tri-City, Tenn.).* All of VOR civil airway No. 259 including an east alternate.

45. Section 601.6264 is added to read:

§ 601.6264 *VOR civil airway No. 264 control areas (Los Angeles, Calif., to Prescott, Ariz.).* All of VOR civil airway No. 264.

46. Section 601.6278 is amended to read:

§ 601.6278 *VOR civil airway No. 278 control areas (Guthrie, Tex., to Greenwood, Miss.).* All of VOR civil airway No. 278.

47. Section 601.6298 is added to read:

§ 601.6298 *VOR civil airway No. 298 control areas (Dubois, Idaho, to Casper, Wyo.).* All of VOR civil airway No. 298.

48. Section 601.6300 is added to read:

§ 601.6300 *VOR civil airway No. 300 control areas (Sault Ste. Marie, Mich., to Toronto, Ontario).* All of VOR civil airway No. 300.

49. Section 601.6424 is added to read:

§ 601.6424 *VOR civil airway No. 424 control areas.* [Unassigned.]

50. Section 601.6425 is added to read:

§ 601.6425 *VOR civil airway No. 425 control areas (Brookley, Ala., to Axis, Ala.).* All of VOR civil airway No. 425.

51. Section 601.6629 is amended to read:

§ 601.6629 *VOR civil airway No. 1529 control areas (Los Angeles, Calif., to United States-Canadian Border).* All of VOR civil airway No. 1529.

52. Section 601.7001 *VOR domestic reporting points* is amended by changing the following reporting points to read:

Benito Intersection: The intersection of the Paso Robles, Calif., omnirange 336° T and the Salinas, Calif., omnirange 110° T radials.

Coldwater Intersection: The intersection of the Fort Wayne, Ind., omnirange 148° T and the Findlay, Ohio, omnirange 250° T radials.

Davenport Intersection: The intersection of the Point Reyes, Calif., omnirange 155° T, the Salinas, Calif., omnirange 302° T and the Agnew, Calif., omnirange 206° T radials.

Doby Intersection: The intersection of the Wells, Nev., omnirange station 256° T and the Elko, Nev., omnirange 338° T radials.

Edgerton Intersection: The intersection of the Fort Wayne, Ind., omnirange 030° T and the Goshen, Ind., omnirange 092° T radials.

La Grange Intersection: The intersection of the New Bern, N. C., omnirange 297° T and the Rocky Mount, N. C., omnirange 184° T radials.

Mount Hamilton Intersection: The intersection of the Agnew, Calif., omnirange station 097° T and the Oakland, Calif., omnirange 131° T radials.

Pioneer Intersection: The intersection of the Fort Wayne, Ind., omnirange 031° T and the Waterville, Ohio, omnirange 288° T radials.

Purgatoire Intersection: The intersection of the Tobe, Colo., omnirange 327° T and the Lamar, Colo., omnirange 231° T radials.

Saugus Intersection: The intersection of the Lake Hughes, Calif., omnirange 158° T and the Fillmore, Calif., omnirange 066° T radials.

White Oaks Intersection: The intersection of the Lake Hughes, Calif., omnirange 339° T and the Palmdale, Calif., omnirange 291° T radials.

by adding the following reporting points:

Bible Grove, Ill., omnirange station.
Blackwater, Mo., omnirange station.
Blue Spring, Mo., omnirange station.
Champaigne, Ill., omnirange station.
Kalamazoo, Mich., omnirange station.
Kokomo, Ind., omnirange station.
Lewis, Ind., omnirange station.
Lincoln, Nebr., omnirange station.
Marshall, Mo., omnirange station.
Maryland Heights, Mo., omnirange station.
Readsville, Mo., omnirange station.
Shelbyville, Ind., omnirange station.

and by revoking the following reporting points:

Coalinga, Calif., omnirange station.

Dog Intersection: The intersection of the New Orleans, La., omnirange 078° T and the Mobile, Ala., omnirange 244° T radials.

Farina Intersection: The intersection of the Vandalia, Ill., omnirange 136° T and the Bible Grove, Ill., omnirange 261° T radials.

Geyserville Intersection: The intersection of the Ukiah, Calif., omnirange 147° T and the Point Reyes, Calif., omnirange 352° T radials.

Panoche Intersection: The intersection of the Coalinga, Calif., omnirange 311° T and the Modesto, Calif., omnirange 176° T radials.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t. August 28, 1958.

[SEAL] WILLIAM B. DAVIS,
Acting Administrator of Civil Aeronautics.

JULY 25, 1958.

[F. R. Doc. 58-5913; Filed, Aug. 1, 1958; 8:46 a. m.]

[Amdt. 16]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

MISCELLANEOUS AMENDMENTS

Pursuant to the authority delegated to him by the Civil Aeronautics Board (see Special Civil Air Regulation 424, adopted May 28, 1958, effective June 15, 1958, and published in the FEDERAL REGISTER on June 5, 1958), the Administrator designated the airspace between 17,000 and 22,000 feet, within the lateral limits of certain airways, as "positive control route segments" (§ 601.8001, 23 F. R. 3917, June 5, 1958).

It has become apparent since the designation of these positive control route segments that in the near future, and more or less continuously, it will be necessary to realign the airways embracing the positive control route segments due primarily to the installation of new or the relocation of existing air navigation facilities, and for other reasons. It may also become necessary, although much less frequently, to extend these positive control route segments beyond their present terminal points. Heretofore all such changes in the airways embracing these segments have been duly coordinated through the Air Coordinating Committee and, if adopted, were promulgated as amendments to Part 601.

It appears only logical that as these airways may be from time to time realigned or extended, the positive control route segment should be correspondingly changed so as to be placed under positive control at simultaneously effective dates.

The positive control route segments are presently identified in said § 601.8001 by full legal description, i. e., a point-to-point legal description from terminal to terminal. Because of this, it would be necessary to make separate amendments requiring extensive rewriting of these legal descriptions each time these airways were realigned. This ought not to be necessary since it results in inefficiency and serves no useful purpose. It therefore is desirable to amend § 601.8001 by revising these present lengthy point-to-point legal descriptions to show only the existing terminal points of the respective positive control route segments. By so doing, it would, in the future, be necessary to amend § 601.8001 only when a positive control route segment is extended beyond its present terminal points. Changes in these segments between the terminal points would require no amendment of § 601.8001, since the basic description would remain unchanged.

In order to facilitate easy reference, § 601.8001 is also amended by listing the affected airways numerically.

Inasmuch as this amendment does not involve any substantive change, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedures Act is unnecessary and not required. This amendment shall become effective upon publication in the FEDERAL REGISTER.

Therefore §§ 601.1, 601.2, and 601.8001 are amended to read as follows:

SUBPART A—INTRODUCTION

1. Section 601.1 is amended to read as follows:

§ 601.1 *Basis and purpose.* The basis of this part is found in sections 205 and 601 of the Civil Aeronautics Act of 1938, as amended, and Part 60 of this title. The purpose of this part is to designate the continental control area, control areas, control zones, reporting points, and positive control route segments in order to provide for the safety of aircraft operating in interstate, overseas, and foreign air commerce.

2. Section 601.2 is amended to read as follows:

§ 601.2 *Explanation of terms.* As used in this part:

(a) "Control area" shall mean the airspace within an area designated in Subparts B and C, extending upward from an altitude of 700 feet, above the surface, but not including the airspace within that area designated as the continental control area. Within a control area air traffic control is exercised in accordance with the air traffic rules of Part 60 of this title.

(b) "Continental control area" shall mean the airspace above 24,000 feet, MSL, within the continental United States as designated in § 601.7101, within which air traffic control is exercised in accordance with the air traffic rules of Part 60 of this title.

(c) "Control zone" shall mean the airspace within an area designated in Subpart D of this part, upward from the surface to include one or more airports and within which rules additional to those governing flight in control areas are prescribed in Part 60 of this title, for protection of air traffic.

(d) "Reporting point" shall mean a geographic location in relation to which the position of an aircraft shall be reported in accordance with the requirements of § 60.47 of this title.

(e) "Positive control route segment" shall mean the airspace within the airway portions designated in Subpart I, including all coinciding airways embraced within them, between 17,000 feet and 22,000 feet, MSL, inclusive, within their existing lateral limits. Within a positive control route segment air traffic is regulated in accordance with the provisions of Special Civil Air Regulation 424.

(f) "Mile" means "statute mile" unless otherwise specified in this part.

(g) All bearings shall be true from the point of origin.

3. Subpart I is amended to read:

SUBPART I—DESIGNATED POSITIVE CONTROL ROUTE SEGMENTS

§ 601.8001 *Designation of positive control route segments.* The portions of civil airways described in this subpart are designated as positive control route segments.

VOR civil airway No. 6 (Oakland, Calif., to New York, N. Y.) (*See § 600.6006 of this chapter.*) The portion of VOR civil airway No. 6 from the Rock River, Wyo., omnirange station to the Grand Island, Nebr., omnirange station, excluding north and south alternates.

VOR civil airway No. 8 (Long Beach, Calif., to Washington, D. C.) (*see § 600.6008 of this chapter*). The portion of VOR civil airway No. 8 from the Goshen, Ind., omnirange station to the point of intersection of the Martinsburg, W. Va., omnirange direct radial to the Washington, D. C., terminal omnirange station with the Front Royal, Va., omnirange 088° radial, excluding north and south alternates.

VOR civil airway No. 32 (Battle Mountain, Nev., to Fort Bridger, Wyo.) (*see § 600.6032 of this chapter*). The portion of VOR civil airway No. 32 from the Elko, Nev., omnirange station to the Bonneville, Utah, omnirange station, excluding the north alternate.

VOR civil airway No. 50 (Kirksville, Mo., to Indianapolis, Ind.) (*see § 600.6050 of this chapter*). The portion of VOR civil airway No. 50 from the Springfield, Ill., omnirange station to the Terre Haute, Ind., omnirange station, excluding the south alternate.

VOR civil airway No. 144 (Chicago, Ill., to Washington, D. C.) (*see § 600.6144 of this chapter*). The portion of VOR civil airway No. 144 from the point of intersection of the Peotone, Ill., omnirange direct radial to the Fort Wayne, Ind., omnirange station with the Chicago Heights, Ill., omnirange direct radial to the Lafayette, Ind., omnirange station; to the Appleton, Ohio, omnirange station.

VOR civil airway No. 200 (Ukiah, Calif., to Kremmling, Colo.) (*see § 600.6200 of this chapter*). The portion of VOR civil airway No. 200 from the Williams, Calif., omnirange station to the Reno, Nev., omnirange station.

VOR civil airway No. 1504 (San Francisco, Calif., to Washington, D. C.) (*see § 600.6604 of this chapter*). The portion of VOR civil airway No. 1504 from the Sacramento, Calif., omnirange station to the Elko, Nev., omnirange station.

VOR civil airway No. 1506 (San Francisco, Calif., to Washington, D. C.) (*see § 600.6606 of this chapter*). The portion of VOR civil airway No. 1506 from the Bonneville, Utah, omnirange station to the Rock River, Wyo., omnirange station and the portion from the Appleton, Ohio, omnirange station to the point of intersection of the Front Royal, Va., omnirange 112° and the Washington, D. C., terminal omnirange 245° radials.

VOR civil airway No. 1510 (Los Angeles, Calif., to New York, N. Y.) (*see § 600.6610 of this chapter*). The portion of VOR civil airway No. 1510 from the point of intersection of the Los Angeles, Calif., omnirange 057° and the Long Beach, Calif., omnirange 024° radials to the Colts Neck, N. J., omnirange station, including a south alternate from the Iowa City, Iowa, omnirange station to the Waterville, Ohio, omnirange station.

VOR civil airway No. 1512 (Los Angeles, Calif., to New York, N. Y.) (*see § 600.6612 of this chapter*). The portion of VOR civil airway No. 1512 from the Ontario, Calif., omnirange station to the Colts Neck, N. J., omnirange station, including a south alternate from the Kansas City, Mo., omnirange station to the Indianapolis, Ind., omnirange station.

VOR civil airway No. 1514 (San Francisco, Calif., to New York, N. Y.) (*see § 600.6614 of this chapter*). The portion of VOR civil airway No. 1514 from the Pittsburgh, Pa., omnirange station to the Colts Neck, N. J., omnirange station, excluding the south alternate.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment is effective upon publication in the FEDERAL REGISTER.

[SEAL] WILLIAM B. DAVIS,
Acting Administrator of Civil Aeronautics.

JULY 25, 1958.

[F. R. Doc. 58-5914; Filed, Aug. 1, 1958; 8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54650]

PART 16—LIQUIDATION OF DUTIES

COUNTERVAILING DUTIES; CORDAGE FROM CUBA

Reference is made to T. D. 53534 dated July 19, 1954, imposing a contervailing duty of 2.488 cents per pound upon the entry for consumption of dutiable cordage, imported directly or indirectly from Cuba.

The Treasury Department is in receipt of official information that the payment of bounties or grants on exportation of cordage, rope, twine and cord from Cuba has been discontinued by a Cuban Government decree effective March 18, 1958, except for "baler twine" and "binder twine." As these two types of twine are free of ordinary duty under the Tariff Act of 1930, they do not come within the purview of section 303 of the Tariff Act of 1930 (19 U. S. C. 1303). Accordingly, the only foreseeable imposition of countervailing duties would be in the case of cordage which Cuba had considered to be "baler twine" or "binder twine," and therefore allowed to benefit from the grant or bounty, but which the United States (because of differing specifications or otherwise) does not consider to be "baler twine" or "binder twine" and as to which, therefore, an ordinary import duty is charged.

Therefore, as to cordage exported from Cuba on and after March 18, 1958, T. D. 53534 is hereby modified by restricting its application to cordage which has benefited from a grant or bounty bestowed by the Cuban Government on the ground that it is "baler twine" or "binder twine," but which is not classifiable under the Tariff Act of 1930, as amended, as "baler twine" or "binder twine" and is, therefore, subject to ordinary United States import duties.

This decision shall be applicable with respect to all such products exported from Cuba on or after March 18, 1958, which are or will be entered, or withdrawn from warehouse, for consumption, and which have not been liquidated or the liquidation of which has not become final on the date of publication of this Treasury decision in the FEDERAL REGISTER.

The table in § 16.24 (f) of this chapter is amended by inserting the number of this Treasury decision immediately following number 53534 in the column headed "Treasury Decision" and the words "T. D. 53534 modified" in the column headed "Action".

(R. S. 251, secs. 303, 624, 46 Stat. 687, 759; 19 U. S. C. 66, 1303, 1624)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: July 29, 1958.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F. R. Doc. 58-5937; Filed, Aug. 1, 1958; 8:51 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

Subchapter A—General

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

LABEL DECLARATION OF D-ERYTHROASCORBIC ACID WHEN IT IS AN INGREDIENT OF A FABRICATED FOOD

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701 (a), 52 Stat. 1055, as amended; 21 U. S. C. 371) and delegated

to the Commissioner of Food and Drugs by the Secretary (22 F. R. 1045), and pursuant to the Administrative Procedure Act (sec. 3, 60 Stat. 237; 5 U. S. C. 1002), the following statement of interpretation is issued:

§ 3.51 *Label declaration of D-erythroascorbic acid when it is an ingredient of a fabricated food.* (a) The article D-erythroascorbic acid (D-araboascorbic acid, D-erythro-3-ketohexonic acid lactone) has sometimes been designated as D-isoascorbic acid. However, this designation is capable of misleading purchasers of food in which it is used as an ingredient because of the similarity of such designation to the chemical name and the common name of vitamin C, which is ascorbic acid. Ascorbic acid (vitamin C) is capable of preventing the deficiency disease scurvy, but D-isoascorbic acid is ineffective for this purpose.

(b) The Joint Committee on Nomenclature of the American Institute of Nutrition and the Society of Biological Chemists has considered this matter, and pursuant to the Committee's recommendation the respective scientific organizations approved a resolution to drop the use of the designation D-isoascorbic acid and to adopt as a common name the name erythorbic acid for D-erythroascorbic acid.

(c) The compound D-erythroascorbic acid is not specified as an ingredient of any food for which a standard has been established. For foods other than those for which standards have been established, section 403 (i) (2) of the Federal Food, Drug, and Cosmetic Act requires that ingredients be listed on labels by their common or usual names. If the label on a food that contains D-erythroascorbic acid designates that ingredient by the name erythorbic acid, the requirement that the label bear the common or usual name of the ingredient will be regarded as having been met.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371. Interprets or applies sec. 403, 52 Stat. 1047, as amended; 21 U. S. C. 343)

Dated: July 28, 1958.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 58-5932; Filed, Aug. 1, 1958; 8:50 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter V—Foreign Assets Control, Department of the Treasury

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

IMPORTATION OF AND DEALINGS IN CERTAIN MERCHANDISE

The Foreign Assets Control Regulations, 31 CFR 500.101–500.808, are hereby amended as follows:

The following items are added to the list set forth in § 500.204 (a) (4):

Feather manufacturers.
Graphite.
Honey.
Poultry, including pigeons, frozen or otherwise prepared or preserved.

Section 500.322 (a) (5) is hereby amended (1) by deleting the words "the French Establishments in India", and (2) by deleting the words "Laos (except those areas under Communist Control)", and by substituting for them the word "Laos".

(Sec. 5, 40 Stat. 415, as amended; 50 U. S. C. App. 5; E. O. 9193, July 6, 1942, 7 F. R. 5205; 3 CFR 1943 Cum. Supp., E. O. 9989, Aug 20, 1948, 13 F. R. 4891; 3 CFR 1948 Supp.)

[SEAL] JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F. R. Doc. 58-5900; Filed, Aug. 1, 1958; 8:45 a. m.]

PART 505—TRANSACTION CONTROL REGULATIONS

DELETION FROM SCHEDULE

The Transaction Control Regulations, 31 CFR 505.01 to 505.60, are hereby amended by deleting from the schedule in § 505.10 the words "Laos (only those areas under Communist control)."

(Sec. 5, 40 Stat. 415, as amended; 50 U. S. C. App. 5; E. O. 9193, July 6, 1942, 7 F. R. 5205; 3 CFR 1943 Cum. Supp., E. O. 9989, Aug. 20, 1948, 13 F. R. 4891; 3 CFR 1948 Supp.)

[SEAL] JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F. R. Doc. 58-5901; Filed, Aug. 1, 1958; 8:45 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts, Department of Labor

PART 202—MINIMUM WAGE DETERMINATIONS

DRUGS AND MEDICINE INDUSTRY

This matter is before me for decision on the exceptions which have been filed to my proposed redetermination of the prevailing minimum wage for the drugs and medicine industry as published in the FEDERAL REGISTER (23 F. R. 2863).

The time for exceptions has expired, and only two have been filed. One is on behalf of the American Federation of Labor and Congress of Industrial Organizations, contending that the proposed rate of $1.20 per hour is too low, and the other is on behalf of Philadelphia Ampoule Laboratories, contending that it is too high.

The contention that the proposed rate is too low merely renews the argument in support of a higher rate, first advanced by the party filing the exception at the hearing and in its post-hearing submittal of proposed findings, conclusions, and supporting reasons. This contention and the reasons for its disallowance are presented very fully in the tentative decision. As no new arguments or reasons are advanced, by this exception to the findings and conclusions in the tentative decision, no further discussion of these issues is necessary, and this exception is overruled.

Philadelphia Ampoule Laboratories has not heretofore participated in this proceeding. It suggests that in this industry wage scales are usually higher in the larger firms than they are in the smaller ones. Without further reference to fact or argument, this exception expresses a need, to "go on record as opposing the arguments which are used to substantiate the 20 cent rise in minimum wages for our industry where Government contracts are involved."

The proposed decision discusses in considerable detail the differences in minimum wages between establishments of different size in this industry. It finds substantial support for the proposed minimum wage in each of the size categories from the smallest to the largest. The remainder of this exception, quoted above, merely objects to the proposal in general, without pointing to specific error in its formulation.

Each finding and conclusion in the proposal has been re-examined, and they are hereby adopted as my final decision.

Accordingly, upon the findings and conclusions and reasons therefor stated herein and in the Notice of Proposed Decision in this proceeding, pursuant to authority under the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U. S. C. 35–45) and in accordance with the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. 1001),

1. The headnote and paragraphs (a) and (b) of § 202.28 of the Code of Federal Regulations are amended to read as follows:

§ 202.28 *Toilet preparations and cosmetics industry*—(a) *Definition.* The toilet preparations and cosmetics industry is defined as that industry which manufactures or furnishes any of the following products: Dentrifices, cosmetics, perfume, shaving creams and shampoos which do not contain soap or soap synthetics, or other preparations designed or intended for external application to the person for the purpose of cleansing, improving the appearance of, or refreshing the person. The foregoing shall not be deemed to include the manufacture or packaging of shaving cream and shampoo containing soap or soap synthetics, essential (volatile) oils, glycerine, and soap.

(b) *Minimum wage.* The minimum wage for persons employed in the manufacture or furnishing of products of the toilet preparations and cosmetics industry under contracts subject to the Walsh-Healey Public Contracts Act shall be $1.00 per hour arrived at either on a time or piece-rate basis.

2. A new section is added to Part 202 of Title 41 of the Code of Federal Regulations to read as follows:

§ 202.60 *Drugs and medicine industry*—(a) *Definition.* (1) The drugs and medicine industry is defined to include the following: Drugs or medical preparations (other than food) intended for internal or external use in the diagnosis, treatment, or prevention of diseases in, or to affect the structure or any functions of the body of man or other animal.

(i) Typical products of the industry are: Bulk organic and inorganic medicinal chemicals and their derivatives; endocrine products; basic vitamins; active medicinal principles, such as alka-

loids from botanical drugs and herbs; drugs and medicines in pharmaceutical preparations, such as ampules, tablets, capsules, ointments, solutions, and suspensions for human and veterinary use, including vitamin preparations and galenicals, such as fluid extracts and tinctures; viruses, serums, toxins, and analogous products, such as allergenic extracts, and normal serums and plasmas for human or veterinary use; and bacteriological media.

(b) *Minimum wage.* The minimum wage for persons employed in the manufacture or furnishing of products of the drugs and medicine industry under contracts subject to the Walsh-Healey Public Contracts Act shall be not less than $1.20 per hour arrived at either on a time or piece-rate basis.

(c) *Effect on other obligations.* Nothing in this section shall affect any obligation for the payment of minimum wages that an employer may have under any law or agreement more favorable to employees than the requirements of this section.

(d) *Effective date.* This section shall be effective, and the minimum wage herein established shall apply, as to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced on or after September 1, 1958.

(Sec. 4, 49 Stat. 2038; 41 U. S. C. 38)

Signed at Washington, D. C., this 29th day of July 1958.

JAMES P. MITCHELL,
Secretary of Labor.

[F. R. Doc. 58-5929; Filed, Aug. 1, 1958; 8:49 a. m.]

PART 202—MINIMUM WAGE DETERMINATIONS

SURGICAL INSTRUMENTS AND APPARATUS INDUSTRY; REDETERMINATION OF PREVAILING MINIMUM WAGES

This matter is before me for decision on exceptions to my proposed decision in the redetermination of prevailing minimum wages for the surgical instruments and apparatus industry as published in the FEDERAL REGISTER (23 F. R. 2227). Such exceptions have been filed on behalf of the Manufacturers Surgical Trade Association and the American Federation of Labor and Congress of Industrial Organizations.

The labor federation supports the proposal to preserve, in these redetermination proceedings, the industry-wide approach which has characterized the former determinations of prevailing minimum wages in this industry, but the management association has renewed its contention, first asserted at the recent hearing, that these proceedings should depart from past practice by making different determinations of prevailing minimum wages for different geographic portions of this industry.

The management association excepts to the statement in the proposed decision that management's recommendation of geographic wage differentials is based entirely on differing median wage rates in the three geographic regions, asserting that its recommendation is based on the differing wage structures of those regions as revealed by the Bureau of Labor Statistics wage survey. This clarification of the Association's position is, of course, accepted. The distinction makes no difference, however, under the rationale supporting an industry-wide determination as set out in the proposed decision. It is the area of competition, rather than the wages paid, which determines the geographic area for which prevailing minimum wages will be determined.

The management association excepts to the finding that "management and labor representatives at the hearing agreed that competition in this industry was industry-wide, and that none of the regions into which the wage and procurement data were divided could be described as self-contained." The transcript references cited in support of the exception have been re-examined. They include page 82, on which Arthur L. Faubel, appearing on behalf of the management association, testified that in his opinion "there is a great deal of nationwide competition in the industry," and that "I doubt very much that any one of those regions is self-contained." These references also include pages 90 and 91, on which Bert Seidman, appearing on behalf of the labor unions, testified "that with respect to competition for Government contracts, there is no particular regional concentration. In other words, plants manufacturing products for Government purchase in this industry under Government contracts apparently ship them to all parts of the United States rather than just to destination points within the region of manufacture."

As this testimony was not limited or contradicted, this exception is overruled, and the proposed finding in question is adopted.

The final Association criticism of the support for the proposal to make an industry-wide determination objects to the finding that "The undisputed facts of record here make it plain that a procurement officer composing an invitation for bids in this industry will be unable to predict even the broad geographic region in which the successful bidder's plant will be located."

The objection is based on a suggestion that regional segregation of the manufacturers of the many diverse products of the industry, would enable the procurement officer to make such a prediction on the basis of the particular articles to be purchased. But the exceptions frankly confess "that this was not brought out at the hearing." Nor does the Association tender evidence now, tending to support the suggestion, or in any other way overcome the abundant evidence of industry-wide competition in the products of the industry which is in the record here, and is fully discussed in the proposed determination. Section 10 (b) of the Walsh-Healey Act requires this wage determination to be made "on the record after opportunity for a hearing." Under section 4 (b) of the Administrative Procedure Act, this imports the requirement of section 7 (c) of that act requiring findings to be "supported by and in accordance with the reliable, probative, and substantial evidence." These statutory provisions preclude reliance on the unsupported suggestion of the management association contradicted by the evidence of record, as a basis for departure from the soundly based finding in the proposed determination.

The management association seeks to distinguish the decision in Mitchell v. Covington Mills, 229 F. 2d 506, (C. A., D. C.) certiorari denied, 351 U. S. 934, which holds that industry-wide competition requires an industry-wide wage determination to achieve the purposes of the act, even where there are geographical differences in the wage structure. The effort to distinguish this decision is predicated on an assumption that there is "a fairly complete homogeneity of the products of the cotton, silk and synthetic branch of the textile industry," which was involved in the Covington case, whereas the surgical instruments and apparatus industry is one "making a wide and heterogeneous assortment of products." But, in the rationale of that decision and this one, the crucial difference is not responsive to a choice between "homogeneous" and "heterogeneous." In any event, there is no factual basis for the position asserted since the non-competitive range of this industry, "from an operating table to a suture," on which the management association relies for its distinction, is fully duplicated in the non-competitive range of the named branch of the textile industry, from a spool of cotton thread to a bolt of pure silk broad woven fabric (§ 202.43). The proposed finding and decision to determine the prevailing minimum wage on an industry-wide basis is hereby made final.

The labor unions agree with the finding in the proposed determination that $1.25 was the prevailing minimum wage for covered workers in this industry (excluding beginners) on the wage survey date, but the management association takes exception. Aside from repeating its views that prevailing minimum wages should be determined separately for the several different geographic areas, its position is summarized in two excerpts from its brief: "Admittedly, the term 'prevailing minimum wage' is not as precise as is desirable in a mathematical concept, but management takes exception to the Secretary's 'stretching' the concept of a minimum to include 56.7 percent of the workers in an industry. * * * Management contends, as we did at the hearing, that 'prevailing minimum wage' means the base on which the wage structures build up and we believe it is both reasonable and realistic to assume that approximately 10 percent of the workers included in a wage distribution constitute a thoroughly adequate segment for purposes of determining the minimum wage prevailing in an industry."

The "56.7 percent of the workers," to which the management association refers, are all of the covered workers (excluding beginners) who are employed in establishments having plant-wide minimum wages which range from $1.25 to

$2.20, and which, collectively, pay no such worker less than $1.25. Less than 1 percent of the total employment of 5,487 such workers in those plants are paid as little as $1.25 per hour.

The principle expressed by the management association "that 'prevailing minimum wage' means the base on which the wage structures build up" appears to recognize that there is more than one wage structure in this industry and the geographic segments of it for which the Association recommends separate determination. These different wage structures are, of course, the ones in effect in the several factories, plants, and establishments which manufacture or furnish its products. The error in this principle is its assumption that there is but one "base" for all of these wage structures, and that it must necessarily be the wage received by the employee who is 10 percent up from the bottom when the wages of all employees in the group for whom determination is being made are assembled together as though they were one wage structure. Though some such approach might produce a fair estimate of the prevailing minimum wage in the absence of more specifically relevant data, it may often, and does here, miss the mark by yielding a minimum which cannot be said to be prevailing because it is neither a minimum actually in effect in a large portion of the plants, nor one so placed that it may fairly be said to represent the minimum wage practice of the industry as a whole.

The management association objects to any determination which would increase labor costs, on the ground that this would give advantage to foreign manufacturers and offend the President's appeal for restraint in wage-price policies. The President's appeal clearly is not directed to wages paid by an industry, including its prevailing minimum wage, but to future agreements between management and labor for increases in existing wages resulting in price increases to the public. The companion reason for the objection is similarly unavailable. Consideration of actual or potential competition from foreign producers for Government contracts as to the products of this industry is not committed to my discretion, and is neither pertinent nor appropriate to a determination under the Walsh-Healey Act of the prevailing minimum wages in this industry. The Tariff Act of 1930, as amended, commits to the President exclusive authority in this area of the public interest. Finally, the Association's argument is dependent on the contention that the proposed determination is, in fact, found at a level in excess of the minimum wage actually prevailing, but as it does not exceed the level most representative of the minimum wages arrived at by the industry itself without reference to the Walsh-Healey Act, and for the further reasons stated, this objection is denied.

Both management and labor groups express satisfaction with the definition of the industry and the disposition of the beginner issue in the proposed determination.

The union representatives renew their request for an upward adjustment of the $1.25 figure to reflect minimum wage increases which have occurred since the Bureau of Labor Statistics survey. This proposal was carefully considered in the proposed determination and rejected for lack of adequate evidentiary support. The exception filed by the labor representatives offers no new evidence, suggests no new appraisal of the evidence in the record, and fails to deal with the reasons for rejecting this request expressed in the proposed determination. Under these circumstances this exception is overruled.

Accordingly, upon the findings, conclusions and the reasons therefor stated herein and in the Notice of Proposed Decision in the Redetermination of Prevailing Minimum Wages in the Surgical Instruments and Apparatus Industry filed in these proceedings, pursuant to authority under the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U. S. C. 35 et seq.) and in accordance with the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001), § 202.48 of Title 41 of the Code of Federal Regulations is hereby amended to read as follows:

§ 202.48 *Surgical Instruments and Apparatus Industry*—(a) *Definition.* The surgical instruments and apparatus industry is defined as that industry which manufactures or furnishes instruments, apparatus, and equipment used in, or in connection with, or in the aid of the practice of medicine and surgery, such as surgical and diagnostic instruments, apparatus, and equipment for medical and surgical treatment. This definition shall include the manufacture of sutures and sterilizers for surgical purposes, but shall not include the manufacture of (1) surgical dressings, (2) electro-surgical instruments and apparatus in which electricity is the diagnostic, therapeutic, or functioning element, such as X-ray, fluoroscope, and high frequency apparatus and equipment, ultraviolet and infra-red ray and other therapeutic and heating lamps, apparatus and equipment, and (3) orthopedic appliances, such as trusses, braces, supports, splints, artificial limbs, and elastic belts and stockings.

(b) *Minimum wage.* The minimum wage for persons employed in the manufacture or furnishing of the products of the surgical instruments and apparatus industry under contracts subject to the Walsh-Healey Public Contracts Act shall be not less than $1.25 per hour.

(c) *Tolerance.* Beginners as defined in this paragraph may be employed in the surgical instruments and apparatus industry for a period of not more than 320 hours at a rate not less than $1.15 per hour. A beginner for the purpose of this paragraph is defined as a new plant employee hired at a rate lower than that established for a specific job during the period of time required to receive orientation or initial training for that job, and who has less than 320 hours experience in the plant in which he is employed.

(d) *Effective date.* This section shall be effective and the minimum wages established herein shall apply as to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced on or after September 1, 1958.

(Sec. 4, 49 Stat. 2038; 41 U. S. C. 38)

Signed at Washington, D. C., this 29th day of July 1958.

JAMES P. MITCHELL,
Secretary of Labor.

[F. R. Doc. 58-5930; Filed, Aug. 1, 1958; 8:50 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

Subchapter E—Fellowships, Internships, Training

PART 61—FELLOWSHIPS

APPLICABILITY AND PURPOSE

Notice of proposed rule making, public rule making procedures and delay in effective date have been omitted in the issuance of the following amendment to this subpart which deals with fellowship awards. The amendment will add studies and investigations relating to the causes, control and prevention of water pollution to the purposes for which the Public Health Service fellowships are awarded.

1. Section 61.1 is amended to read:

§ 61.1 *Applicability.* (a) The regulations in this part apply to the establishment and award of all fellowships in the Public Health Service, except those financed under programs of the Department of State. (See 22 CFR Part 65.)

(b) The regulations in this part shall also apply to the establishment and award of fellowships under the Federal Water Pollution Control Act.

(Sec. 10, 70 Stat. 506, 33 U. S. C. 466l. Interprets and applies section 4 (a), 70 Stat. 499, 33 U. S. C. 466c)

2. Section 61.2 is amended to read:

§ 61.2 *Purpose of fellowships.* Fellowships in the Public Health Service are for the purpose of encouraging and promoting studies or investigations relating to the physical and mental diseases and impairments of man and to the causes, prevention, and control of water pollution. Fellowships may be established (a) to provide assistance to individuals for advanced training in research, or for carrying out independent research, or (b) to obtain the assistance and services of individuals for research work of the Public Health Service where the nature of the work or the character of the individual's services render customary employing relationships impracticable or less effective.

(Sec. 215, 58 Stat. 690, as amended; 42 U. S. C. 216)

Dated: July 17, 1958.

[SEAL] L. E. BURNEY,
Surgeon General.

Approved: July 29, 1958.

E. L. RICHARDSON,
Assistant Secretary of Health, Education, and Welfare.

[F. R. Doc. 58-5933; Filed, Aug. 1, 1958; 8:50 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 1696]

[07340]

IDAHO

MODIFYING EXECUTIVE ORDER NO. 4226 OF MAY 16, 1925

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U. S. C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Executive Order No. 4226 of May 16, 1925, which withdrew the following-described public lands in Idaho for classification, is hereby modified to the extent necessary to permit disposal of the lands under applicable public-land laws by a State exchange or State selection:

BOISE MERIDIAN

T. 3 S., R. 18 E.,
Sec. 17, NE¼.

The area described contains 160.57 acres.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 28, 1958.

F. R. Doc. 58-5916; Filed, Aug. 1, 1958; 8:46 a. m.]

[Public Land Order 1697]

[Fairbanks 013619]

ALASKA

WITHDRAWING PUBLIC LANDS FOR USE OF DEPARTMENT OF AIR FORCE FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws but not the act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U. S. C. 601-604) as amended, and reserved for use of the Department of the Air Force for military purposes:

FAIRBANKS MERIDIAN

T. 2 N., R. 1 E.
Sec. 2, N½NE¼SW¼NW¼, and
All that part of lot 4 as described by the following aliquot parts: SW¼NW¼NW¼, S½NE¼NW¼NW¼, and E½SW¼NW¼NW¼.

The areas described contain approximately 25 acres.

The Department of the Interior retains jurisdiction over the management of the surface and subsurface resources, including mineral resources of the lands. No disposal of such resources will be made except under applicable public land laws with the concurrence of the Department of the Air Force and, where necessary, only after appropriate modification of the provisions of this order.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 28, 1958.

[F. R. Doc. 58-5963; Filed, Aug. 1, 1958; 8:55 a. m.]

[Public Land Order 1698]

[Fairbanks 010043]

ALASKA

PARTIALLY REVOKING PUBLIC LAND ORDER NO. 1173 OF JUNE 24, 1955, WHICH WITHDREW CERTAIN LANDS FOR USE IN MAINTENANCE OF AIR NAVIGATION FACILITIES AS ADDITION TO AIR NAVIGATION SITE WITHDRAWAL NO. 146

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 1173 of June 24, 1955, so far as it withdrew the following-described lands under the jurisdiction of the Civil Aeronautics Administration, Department of Commerce, for use in the maintenance of air navigation facilities as an addition to Air Navigation Site Withdrawal No. 146, is hereby revoked:

Beginning at a point on line 11-12 of United States Survey 2639 from which corner No. 12 bears N. 42°54' W., 8,000 feet, thence
S. 47°04' W., 3,700 feet;
S. 42°56' E., 3,350 feet to line of mean high water of the west bank of Napaskiak Slough;
Northeasterly, 3,800 feet along line of mean high tide to a point on line 11-12, U. S. S. 2639;
N. 42°54' W., 2,875 feet along line 11-12 to point of beginning.

The tract described contains approximately 265 acres.

2. Subject to any existing valid rights and the requirements of applicable law, the lands are hereby opened to settlement and to filing of such applications, selections, and locations as are allowable on unsurveyed lands in accordance with the following:

a. Subject to the applications and claims described in paragraph b (1) below, the lands, beginning at 10:00 a. m. on September 2, 1958, will be subject to settlement under the Homestead and Alaska Home Site Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended). Beginning at 10:00 a. m. on December 2, 1958, any remaining lands will be subject to settlement under these laws by other qualified persons.

b. Applications and selections under the nonmineral public-land laws and applications and offers under the mineral-leasing laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having preference rights conferred by existing laws or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended), presented prior to 10:00 a. m. on September 2, 1958, will be considered as simultaneously filed at that hour. Rights under such perference-right applications after that hour will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, and applications and offers under the mineral-leasing laws, presented prior to 10:00 a. m. on December 2, 1958, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

c. The lands will be open to applications and offers under the mineral-leasing laws, and to location under the United States mining laws beginning at 10:00 a. m. on December 2, 1958.

3. Persons claiming veteran's preference rights under paragraph b (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon statutory preference or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

4. The Territory of Alaska has waived the preference right of selection granted it by section 202 (b) of the Alaska Mental Health Enabling Act of July 28, 1956 (70 Stat. 711; 48 U. S. C. 46.3 (b)).

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Fairbanks, Alaska.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 28, 1958.

[F. R. Doc. 58-5917; Filed, Aug. 1, 1958; 8:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 11—INDUSTRIAL RADIO SERVICES

ORDER GRANTING EXCEPTION TO RULE

In the matter of requests for exception to § 11.8 (a) of the Commission's rules.

1. By First Report and Order of June 18, 1958, in Docket No. 11991 (FCC 58-602, released June 23, 1958) the Commission amended (effective August 1, 1958) § 11.8 (a) of its Industrial Radio Services Rules in several particulars. As amended, § 11.8 (a) specifies definite and detailed procedures for effecting coordination in the selection of frequencies and also specifies an alternative procedure whereby an applicant may submit an advisory recommendation from a frequency advisory committee so organized as to be representative of all persons eligible in the area purported to be served by such committee. Although § 11.8 (a) has heretofore required applicants and licensees in the Industrial Radio Services to cooperate in the selection and use of frequencies, and although frequency advisory committees of the type contemplated by the amendment have been in existence in many of the Commission's services for a number of years, the above procedures are relatively new to users in the Special Industrial Radio Service.

2. The Commission has received a request from the Special Industrial Radio Service Frequency Advisory System Organizing Committee, among others, seeking exception, for two months, to so much of the amended § 11.8 (a) as requires applications for frequencies in the Special Industrial Radio Service to be accompanied by evidence of frequency coordination in one of the forms set forth in the said section.[1] These requests are based upon the newness—as above described—of the procedures established, and upon the correlative consideration that the additional time is necessary in order for interested persons to acclimate themselves to such procedures. There appears to be considerable warrant for the relief requested, particularly, in light of the heterogeneous nature of the various activities provided for in the Special Industrial service.

3. In view of the foregoing, and pursuant to § 0.291 (b) (7) of the Commission's Rules, *It is ordered*, Effective August 1, 1958, that the above-described requests for exception are granted, and that, until October 1, 1958, applicants in the Special Industrial Radio Service (and applicants in the Business Radio Service for frequencies adjacent to frequencies available to the Special Industrial Radio Service) are excepted from so much of § 11.8 (a) as requires the submission of evidence of frequency coordination in one of the forms set forth therein.

Adopted: July 29, 1958.

Released: July 30, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5940; Filed, Aug. 1, 1958; 8:52 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR (1954) Part 270]

CIGARS AND CIGARETTES; MANUFACTURERS, IMPORTERS, AND DEALERS

NOTICE OF PROPOSED RULEMAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing, in duplicate, to the Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U. S. C. 7805).

[SEAL] RUSSELL C. HARRINGTON,
Commissioner of Internal Revenue.

In order to require the payment to the collector of customs, on the basis of a return, of any internal revenue tax due and payable on cigars imported in passengers' baggage, in excess of the quantity exempted from tax by law and customs regulations, or by mail where the value does not exceed $250, and such cigars are for the personal consumption of the importer or for disposition as his bona fide gift, regulations 26 CFR Part 270 are amended as follows:

PARAGRAPH 1. Section 270.64 is amended by adding in the third sentence after the words "That a manufacturer or an importer of cigars" the words "except where such cigars are imported in passengers' baggage, or by mail where the value does not exceed $250, for the personal consumption of the importer or for disposition as his bona fide gift,".

PAR. 2. Paragraph (a) of § 270.190 is amended to read as follows:

(a) *General.* All cigars and cigarettes shall, before removal, be put up by the importer in packages which shall bear the stamps, class designation, and mark, as required by this subpart. Such packages shall be of such construction as will securely contain the cigars and cigarettes therein and maintain such stamps, class designation, and mark thereon: *Provided*, That cigars imported in passengers' baggage, or by mail where the value does not exceed $250, where such cigars are for the personal consumption of the importer or for disposition as his bona fide gift, shall be exempt from the provisions of this paragraph.

PAR. 3. The first sentence of § 270.191 is amended to read as follows: "Every package of large cigars subject to tax shall, before removal, have legibly imprinted thereon, or on a label securely affixed thereto, a class designation, for tax purposes, corresponding with the rate of tax imposed by section 5701 (b) (2), I. R. C., on the cigars contained therein: *Provided*, That cigars imported in passengers' baggage, or by mail where the value does not exceed $250, where such cigars are for the personal consumption of the importer or for disposition as his bona fide gift, shall be exempt from the provisions of this section."

PAR. 4. Section 270.191a is amended to read as follows:

§ 270.191a *Mark.* Every package of cigars on which tax is paid by return shall, before removal, have legibly imprinted thereon, or on a label securely affixed thereto, the number of cigars contained in such package: *Provided*, That cigars imported in passengers' baggage, or by mail where the value does not exceed $250, where such cigars are for the personal consumption of the importer or for disposition as his bona fide gift, shall be exempt from the provisions of this section.

PAR. 5. Section 270.230 is amended as follows:

(A) Paragraph (a) is amended to read as follows:

(a) *General.* Where cigars on which tax has not been paid are imported into the United States, the importer may, except as provided in paragraphs (c) and (d) of this section, pay tax thereon by filing a tax return, Form 2135, with remittance, with the district director for each removal of such cigars from customs custody subject to tax. The importer shall secure from the district director a copy of the tax return bearing acknowledgment of receipt of the remittance. Such copy shall be presented by the importer to the appropriate cus-

[1] Requests have been filed by or on behalf of American Iron Ore Association, American Mining Congress, Associated General Contractors, National Canners Association, National Industrial Sand Association, National Ready Mixed Concrete Association, National Sand and Gravel Association, Petroleum Equipment Suppliers Association, and Special Industrial Radio Service Association.

toms officer before such cigars are released from customs custody. When the cigars are so released, the customs officer shall endorse the copy of Form 2135 to show release of the cigars and return this copy to the importer who shall retain such copy of the tax return for two years following the close of the calendar year in which the return was filed and shall make it available for inspection by any revenue officer upon his request.

(B) By adding a new paragraph (c) to read as follows:

(c) *Noncommercial importations in passengers' baggage.* Where cigars on which tax has not been paid are imported into the United States in passengers' baggage, for the personal consumption of the importer or for disposition as his bona fide gift, in excess of the quantity exempted from tax by law and customs regulations, the importer shall, prior to removal, pay tax thereon by return to the collector of customs, in accordance with customs requirements.

(C) By adding a new paragraph (d) to read as follows:

(d) *Noncommercial importations by mail.* Where cigars on which the tax has not been paid are imported into the United States by mail, for the personal consumption of the importer or for disposition as his bona fide gift, and the value does not exceed $250, the importer shall, prior to removal, pay tax thereon by return to the collector of customs, in accordance with customs requirements.

PAR. 6. Section 270.231 is amended by deleting the words "to the district director" from the first sentence.

PAR. 7. A new § 270.232 to read as follows is added:

§ 270.232 *Customs' collection of internal revenue taxes on certain importations of cigars.* Internal revenue taxes payable on cigars imported in passengers' baggage, or by mail where the value does not exceed $250, shall be collected, acounted for, and deposited as internal revenue collections by collectors of customs in accordance with customs requirements.

[F. R. Doc. 58-5936; Filed Aug. 1, 1958; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1003]

HANDLING OF DOMESTIC DATES PRODUCED OR PACKED IN LOS ANGELES AND RIVERSIDE COUNTIES OF CALIFORNIA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO APPROVAL OF BUDGET OF EXPENSES OF DATE ADMINISTRATIVE COMMITTEE FOR 1958-59 CROP YEAR AND FIXING RATE OF ASSESSMENT FOR SUCH CROP YEAR

Notice is hereby given that the Secretary of Agriculture is considering the approval of a budget of expenses of the Date Administrative Committee for the 1958-59 crop year and the fixing of a rate of assessment for that year, as hereinafter set forth. The amount of the budget and rate of assessment were unanimously recommended by the aforesaid committee in accordance with the provisions of Marketing Agreement No. 127, and Order No. 103 (7 CFR Part 1003), regulating the handling of domestic dates produced or packed in Los Angeles and Riverside Counties of California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Consideration will be given to any data, views, or arguments pertaining thereto which are filed in triplicate with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., and received not later than the close of business on the eighth day after publication of this notice in the FEDERAL REGISTER. In the event the said eighth day after publication should fall on a legal holiday, Saturday, or Sunday, such submissions must be received by the Director not later than the close of business on the next following business day.

The proposed budget of expenses and rate of assessment follow:

§ 1003.303 *Budget of expenses of the Date Administrative Committee and rate of assessment for the 1958-59 crop year—* (a) *Budget of expenses.* Expenses in the amount of $38,595 are reasonable and are likely to be incurred by the Date Administrative Committee for its maintenance and functioning for the crop year which begins on August 1, 1958 and ends on July 31, 1959.

(b) *Rate of assessment.* Each handler shall pay to the Date Administrative Committee, in accordance with the provisions of Marketing Agreement No. 127, and Order No. 103, an assessment of 15 cents per hundredweight of dates which he handles or has had certified for handling or for further processing during the crop year which begins on August 1, 1958 and ends on July 31, 1959. Such assessment rate is hereby fixed as each handler's pro rata share of the aforesaid expenses.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: July 29, 1958.

[SEAL] FLOYD F. HEDLUND,
Deputy Director,
Fruit and Vegetable Division.

[F. R. Doc. 58-5919; Filed, Aug. 1, 1958; 8:47 a. m.]

Agricultural Research Service

[9 CFR Part 131]

[Docket No. AO 16-A7]

HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

NOTICE OF HEARING ON PROPOSED AMENDMENT TO MARKETING AGREEMENT AND ORDER, AS AMENDED

Pursuant to the provisions of the Anti-Hog-Cholera Serum and Hog-Cholera Virus Marketing Agreement Act, as amended (7 U. S. C. 851 et seq.), and the rules of practice and procedure governing formulation of marketing agreements and marketing orders applicable to anti-hog-cholera serum and hog-cholera virus (9 CFR Part 132), notice is hereby given of a public hearing to be held in Room 209, United States Courthouse, 219 South Clark Street, Chicago, Illinois, beginning at 10:00 a. m., c. d. t., August 6, 1958, for the purpose of receiving evidence on the proposed amendment hereinafter set forth, or appropriate modifications thereof, to the marketing agreement and order, as amended, regulating the handling of anti-hog-cholera serum and hog-cholera virus (9 CFR Part 131).

Amendment to the marketing agreement and order is made necessary due to the recent amendment to the aforesaid act, effective immediately. Said amendment revised section 58 (b) of the act (7 U. S. C. 853 (b)) to read as follows:

(b) Terms and conditions requiring each manufacturer to have in inventory in his own possession on April 1 of each year a reserve supply of completed serum equivalent to not less than 40 per centum of his previous year's sales of all serum, except that any marketing agreement may provide that upon written application by a manufacturer filed before September 1 of the preceding year, the Secretary may fix another date between January 1 and May 1 on which such manufacturer shall have such inventory if the Secretary finds that such action will tend to effectuate the purposes of this Act. The Secretary may impose such terms and conditions upon granting any such application as he finds necessary to effectuate the purposes of this Act. Serum used in computing the required reserve supply of any manufacturer shall not again be used in computing the required reserve supply of any other manufacturer.

The proposed amendment to the marketing agreement and order is as follows:

1. Amend § 131.79 to read as follows:

§ 131.79 *Emergency reserve.* (a) Except as provided in paragraph (b) of this section, each manufacturer shall have in inventory in his own possession on April 1 of each year a reserve supply of completed serum equivalent to not less than 40 per centum of his previous year's sales of all serum. Serum used in computing the required reserve supply of any manufacturer shall not again be used in computing the required reserve supply of any other manufacturer.

(b) Upon the written application by a manufacturer filed before September 1 of the preceding year, the Secretary may fix another date between January 1 and May 1 on which such manufacturer shall have the inventory specified in paragraph (a) of this section for a particular year if the Secretary finds that such action will tend to effectuate the purposes of the act. The Secretary may impose such terms and conditions upon granting any such application as he finds necessary to effectuate the purposes of the act.

2. Add a new § 131.80 to read as follows:

§ 131.80 *Procedure for filing and decision on application filed pursuant to section 131.79 (b) of this subpart—*(a) *Time and place of filing.* Application for a date between January 1 and May 1 on

which a manufacturer shall have the inventory specified in § 131.79 (a) for a particular year shall be filed with the Director, Animal Inspection and Quarantine Division, Agricultural Research Service, United States Department of Agriculture, Washington, D. C., before September 1 of the preceding year. Said application shall be deemed to be filed when received by the Office of the Director.

(b) *Form and content of application.* The application shall be in writing and signed by the applicant. If the applicant is a corporation, the application shall be signed by an officer of such corporation, and if applicant is a partnership, it shall be signed by one of the partners. The application shall contain (1) the name, address, principal place of business and form of business organization of applicant. If it is a corporation, such fact shall be stated together with the state of incorporation, date of incorporation and the names of its officers and directors; if it is a partnership, the name and address of each partner; (2) a request for a definite date between January 1 and May 1 which applicant desires the Secretary to set on which the applicant shall have said inventory specified in § 131.79 (a); and (3) a full statement of the facts upon which applicant relies to support his application which statement shall include information with respect to the area of his distribution of serum, giving the percentage of his total marketings for each State within said area and for export and may include information covering other factors specified in paragraph (d) of this section. The Secretary may, at any time following receipt of the application, request additional information from applicant.

(c) *Notice of filing.* Following the receipt of such applications the Secretary may publish in the FEDERAL REGISTER a notice setting forth the names of the applicants and the date so requested by each of them, and may afford all interested parties the opportunity of filing written data, views and arguments with respect to any or all such applications within a time to be fixed by the Secretary. After publication of the aforesaid notice an application may be withdrawn only upon written request to the Secretary showing good cause therefor, but in no event may an application be withdrawn after final decision thereon by the Secretary.

(d) *Basis of decision.* The setting of a date other than April 1 of each year on which a manufacturer shall have the inventory specified in § 131.79 (a) will be conditioned on whether the setting of such date will tend to effectuate the purposes of the act. In granting or denying such applications consideration will be given, but not limited to, the following factors: (1) the areas of distribution of serum by applicant; (2) the incidence of the disease of hog cholera in the area of distribution of serum of the applicant, the time of its greatest incidence in said marketing area and the time of its greatest incidence nationally; (3) the farrowing season or seasons of the pig crop nationally and in said marketing area; (4) conditions with respect to the available supply of serum nationally and in said area; and (5) the percentage of the national pig crop inoculated. Consideration will be given to all relevant and material matters submitted and all other available information and data relating to the applications, including information and data on file in the Department.

(e) *Final decision.* The Secretary shall issue a decision on all applications and such decisions shall be final: *Provided,* That any decision setting a date other than April 1 may be reviewed and may be vacated if it is subsequently found that any material fact upon which such determination was based was materially erroneous or false. A true copy of the final decision shall be sent to the applicant by registered mail. Upon the granting of an application, or applications, the Secretary may publish in the FEDERAL REGISTER the name of each such applicant and the date set for each such applicant on which he shall have the inventory specified in § 131.79 (a).

3. Delete the second sentence of paragraph (a) of § 131.48 and add a new paragraph (c) to § 131.48 to read as follows:

(c) Except as provided in the last sentence of this paragraph, each manufacturer, on or before May 1 of each year, shall file a sworn report with the Secretary, on a form furnished by and available from the Secretary, setting forth the cubic centimeter volume of completed serum such manufacturer had in inventory in his own possession on April 1 of such year, identifying such serum by serial number, the quantity covered by each serial number and the name and address of the facility where such serum was stored on April 1 of such year. If any such serum was acquired from another handler, the name of the manufacturer and of the seller, the serial numbers and the amount so acquired, together with the delivery date thereof, shall be set forth in the report. The report shall also set forth the cubic centimeter volume of all serum sold by such manufacturer during the preceding calendar year. In the event a date other than April 1 is set for a particular manufacturer by the Secretary pursuant to the provision of § 131.79 (b) of this subpart, the report specified in this paragraph shall be filed by such manufacturer within 30 days after said date set by the Secretary and the information given therein with respect to his serum inventory shall be given as of the date set by the Secretary.

4. Amend § 131.1 and add new §§ 131.17 and 131.18 to read as follows:

§ 131.1 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 131.17 *Completed serum.* "Completed serum" as used in this subpart means "completed serum" and "finished serum" as defined in § 119.23 (a) (5) and (6), respectively, of the regulations of the Secretary governing the production of anti-hog-cholera serum (Part 119 of this title).

§ 131.18 *Inventory in his own possession.* "Inventory in his own possession" as used in this subpart means completed serum owned by a manufacturer and stored for his own account in premises owned or leased by him.

5. Make such other changes as may be required to make the entire marketing agreement and order conform with any amendments thereto that may result from the hearing.

In view of the provisions of the amendment to the act with respect to the filing of applications before September 1, evidence also will be received as to whether a recommended decision should be omitted as provided in § 132.12 (d) of the rules of practice and procedure.

Copies of this notice of hearing may be obtained from the Hearing Clerk, Room 112, Building A, United States Department of Agriculture, Washington, D. C., or may there be inspected.

Done at Washington, D. C. this 1st day of August 1958.

[SEAL] M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F. R. Doc. 58-6090; Filed, Aug. 1, 1958; 11:54 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Foreign Assets Control

IMPORTATION OF CERTAIN MERCHANDISE DIRECTLY FROM HONG KONG AND THE NETHERLANDS

AVAILABLE CERTIFICATIONS BY THE GOVERNMENTS OF HONG KONG AND THE NETHERLANDS

Notice is hereby given that:

(1) Certificates of origin issued by the Hong Kong Department of Commerce and Industry under procedures agreed upon between that Government and the Foreign Assets Control are now available with respect to the importation into the United States directly, or on a through bill of lading, from Hong Kong of the following commodity:

Graphite.

(2) Certificates of origin issued by the Department of Agriculture, Fisheries and Food of the Government of The Netherlands under procedures agreed upon between that Government and the Foreign Assets Control are now available with respect to the importation into the United States directly, or on a through

bill of lading, from The Netherlands of the following commodity:

Rhubarb, Chinese type.

[SEAL] ELTING ARNOLD,
Acting Director,
Foreign Assets Control.

[F. R. Doc. 58-5902; Filed, Aug. 1, 1958; 8:45 a. m.]

Office of the Secretary

[1958 Dept. Circular 1013]

1½ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES D-1959; TAX ANTICIPATION SERIES

OFFERING OF CERTIFICATES

JULY 29, 1958.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions from the people of the United States for Tax Anticipation Certificates of Indebtedness of the United States, designated 1½ percent Treasury Certificates of Indebtedness of Series D-1959. The amount of the offering is $3,500,000,000, or thereabouts. The books will be open only on July 29 for the receipt of subscriptions.

II. *Description of certificates.* 1. The certificates will be dated August 6, 1958, and will bear interest from that date at the rate of 1½ percent per annum, payable on a semiannual basis on March 24, 1959. They will mature March 24, 1959. They will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates is subject to all taxes imposed under the Internal Revenue Code of 1954. The certificates are subject to estate, inheritance, gift or other exercise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will be accepted at par plus accrued interest to maturity in payment of income and profits taxes due on March 15, 1959.

4. Bearer certificates with one interest coupon attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000, and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington. Commercial banks, which for this purpose are defined as banks accepting demand deposits, may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than commercial banks will not be permitted to enter subscriptions except for their own account. Subscriptions from commercial banks for their own account will be received without deposit. Subscriptions from all others must be accompanied by payment of 2 percent of the amount of certificates applied for, not subject to withdrawal until after allotment. Following allotment, any portion of the 2 percent payment in excess of 2 percent of the amount of certificates allotted may be released upon the request of the subscribers.

2. Commercial banks in submitting subscriptions will be required to certify that they have no beneficial interest in any of the subscriptions they enter for the account of their customers, and that their customers have no beneficial interest in the banks' subscriptions for their own account.

3. The Secretary of the Treasury reserves the right to reject or reduce any subscription, and to allot less than the amount of certificates applied for; and any action he may take in these respects shall be final. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for certificates allotted hereunder must be made or completed on or before August 6, 1958, or on later allotment. In every case where payment is not so completed, the payment with application up to 2 percent of the amount of certificates allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depositary will be permitted to make payment by credit for certificates allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits when so notified by the Federal Reserve Bank of its District.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] ROBERT B. ANDERSON,
Secretary of the Treasury.

[F. R. Doc. 58-5939; Filed, Aug. 1, 1958; 8:51 a. m.]

GENERAL SERVICES ADMINISTRATION

QUININE HELD IN NATIONAL STOCKPILE

PROPOSED DISPOSITION

Pursuant to the provisions of section 3 (e) of the Strategic and Critical Materials Stock Piling Act, 53 Stat. 811, as amended, 50 U. S. C. 98b (e), notice is hereby given of a proposed disposition of approximately 13,860,000 ounces of quinine now held in the national stockpile.

The Office of Defense Mobilization has made a revised determination, pursuant to section 2 (a) of the Strategic and Critical Materials Stock Piling Act, that there is no longer any need for stockpiling quinine. The revised determination was by reason of obsolescence of quinine for use in time of war and was based upon the finding of the Office of Defense Mobilization that new and better materials, within the meaning of section 3 (e) (2) of the act, have been developed for the uses for which quinine was stockpiled.

It will be necessary for any purchaser of the quinine to reprocess it to meet present standards. There are no longer any facilities for such reprocessing in the United States. The domestic consumption of quinine has been steadily decreasing while the European demand for quinine is still relatively large. General Services Administration therefore proposes to negotiate for the sale of the entire quantity of such quinine to one or more European quinine companies or a group of such companies. If such negotiations are unsuccessful, it is proposed to negotiate sales of the quinine in relatively small quantities over a period of many years.

It is believed that this plan of disposition will protect the United States against avoidable loss on the sale of the quinine and also protect producers, processsors, and consumers against avoidable disruption of their usual markets.

It is proposed to make such quinine available for sale six months after publication of this notice in the FEDERAL REGISTER.

Dated: July 29, 1958.

FRANKLIN FLOETE,
Administrator of General Services.

[F. R. Doc. 58-5964; Filed, Aug. 1, 1958; 8:55 a. m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-75]

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

NOTICE OF AMENDMENT TO CONSTRUCTION PERMIT NO. CPCX-11

Please take notice that the Atomic Energy Commission has issued the following amendment (No. 1) to Construction Permit No. CPCX-11. The amendment extends to November 1, 1958, the latest completion date for construction

of the homogeneous zero power research reactor to be located at the NACA Lewis Flight Propulsion Laboratory in Cleveland, Ohio. In accordance with the Commission's rules of practice (10 CFR 2) the Commission will direct the holding of a formal hearing on the matter of the issuance of the license amendment upon receipt of a request therefor from the licensee or an intervener within thirty days after the issuance of the license amendment. For further details see the application for amendment at the Commission's Public Document Room, 1717 H Street NW., Washington, D. C.

Dated at Germantown, Md., this 23d day of July 1958.

[Construction Permit No. CPCX-11, Amdt. 1]

Condition A of Construction Permit No. CPCX-11 is hereby amended by changing the second sentence thereof to read as follows:

The latest date for completion of the reactor is November 1, 1958.

Date of issuance: July 23, 1958.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of Licensing and Regulation.

[F. R. Doc. 58-5909; Filed, Aug. 1, 1958; 8:45 a. m.]

[Docket No. F-9]

REGENTS OF THE UNIVERSITY OF CALIFORNIA AND NORTH AMERICAN AVIATION, INC.

NOTICE OF WITHDRAWALS OF FACILITY LICENSE APPLICATIONS

Please take notice that by letters dated June 11, 1958, and June 26, 1958, respectively, the Regents of the University of California and North American Aviation, Inc., have withdrawn their applications, dated June 2, 1955, and March 10, 1955, respectively requesting a facility license pertaining to the proposed construction and operation of a reactor for medical research and therapy and related physical research at the University of California at Los Angeles.

Dated at Germantown, Md., this 23d day of July 1958.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of Licensing and Regulation.

[F. R. Doc. 58-5910; Filed, Aug. 1, 1958; 8:45 a. m.]

[Docket No. 27-4]

AMERICAN MAIL LINE LTD.

NOTICE OF PROPOSED ISSUANCE OF BYPRODUCT AND SOURCE MATERIAL LICENSE TO PROVIDE RADIOACTIVE WASTE DISPOSAL SERVICE

Please take notice that the Atomic Energy Commission proposes to issue a Byproduct and Source Material License to American Mail Line, Ltd., 740 Stuart Building, Seattle 1, Washington, substantially in the form set forth in Annex "A" below unless within fifteen (15) days after filing of this notice with the Federal Register Division a request for a formal hearing is filed with the Commission in the manner prescribed by the Commission's rules of practice (10 CFR 2). There is also set forth below as Annex "B" a memorandum submitted by the Division of Licensing and Regulation which sumarizes the principal factors considered in reviewing the application for a license. The license application is available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D. C.

Dated at Germantown, Md., this 25th day of July 1958.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of Licensing and Regulation.

[Docket No. 27-4]

[License No. 46-3623-1 (G60)]

AMERICAN MAIL LINE LTD.

ANNEX "A", BYPRODUCT AND SOURCE MATERIAL LICENSE

Pursuant to the Atomic Energy Act of 1954 and Title 10, Code of Federal Regulations, Chapter 1, Part 30, "Licensing of Byproduct Material" and Title 10, Code of Federal Regulations, Chapter 1, Part 40, "Control of Source Material", and in reliance on statements and representations heretofore made by the applicant, a license is hereby issued to American Mail Line, Ltd., 740 Stuart Building, Seattle 1, Washington, to receive, possess and dispose of waste byproduct and source material packaged under Byproduct Material License No. 46-91-8 (G60) issued to Boeing Airplane Company, Seattle, Washington.

This license shall be deemed to contain the conditions specified in section 183 of the Atomic Energy Act of 1954, and is subject to the provisions of 10 CFR Part 20, "Standards for Protection Against Radiation", and all other applicable rules, regulations, and orders of the Atomic Energy Commission now or hereafter in effect and to the following conditions:

1. The licensee shall not possess or receive more than 10 curies total of byproduct material at any one time.

2. The licensee shall not receive possession of more than 15 pounds of source material.

3. The waste disposal operations shall be under the supervision of H. V. Walker and/or H. A. Greenwood, American Mail Line, Ltd.

4. The waste disposal operation shall be conducted in accordance with the procedures described in the licensee's application dated October 24, 1957, and letters dated September 10, 1957, January 24, 1958, and March 6, 1958, from H. V. Walker, General Traffic Manager, American Mail Line, Ltd.

5. The packaged radioactive waste shall be transported aboard vessels owned by American Mail Line, Ltd.

6. The licensee shall dispose of the radioactive waste in the Pacific Ocean at a location at least 150 miles from the continental shelf and at a minimum sea depth of 1,000 fathoms.

7. At least 10 days prior to each disposal the licensee shall notify the Director, Division of Licensing and Regulation, Atomic Energy Commission of the proposed date for disposal, the proposed disposal location in latitude and longitude, the total number of containers, the total activity in millicuries, and the most hazardous radioisotope in each container.

This license shall be effective on the date issued and shall expire on July 31, 1960.

For the Atomic Energy Commission.

JAMES R. MASON,
Chief, Isotopes Branch, Division of Licensing and Regulation.

ANNEX "B"

MEMORANDUM

American Mail Line, Ltd., 740 Stuart Building, Seattle 1, Washington, filed an application dated October 24, 1957, for a Byproduct and Source Material License as defined in the Code of Federal Regulations, Title 10, Chapter I, Part 30, "Licensing of Byproduct Material", and Part 40, "Control of Source Material", to receive byproduct and source material wastes packaged by the Boeing Airplane Company, Seattle, Washington, and dispose of them in the Pacific Ocean.

The Atomic Energy Commission has found that:

A. The applicant meets the general requirements for the issuance of a specific license as required by § 30.23, 10 CFR 30 and § 40.22, 10 CFR 40.

B. American Mail Line, Ltd., is qualified to provide the proposed sea waste disposal service for packaged byproduct and source materials.

C. American Mail Line, Ltd., has submitted sufficient information to provide reasonable assurance that the licensed material can be handled and disposed of in accordance with AEC regulations.

D. The issuance of a Byproduct and Source Material License to American Mail Line, Ltd., will not be inimical to the health and safety of the public.

The above findings were reached after a consideration of the following information submitted by the applicant:

1. *Experience of Personnel.* The Radiological Safety Officer for the entire disposal operation will be Mr. William E. Morgan who is the radiation hygienist for the Boeing Airplane Company. He completed the Atomic Energy Commission fellowship program in Radiological Physics at the University of Washington. Mr. Morgan's training and experience appear satisfactory to perform the functions of Radiological Safety Officer for this operation. The American Mail Line, Ltd. personnel who will supervise the handling and disposal of the waste packages are: Mr. H. V. Walker, General Traffic Manager; and Mr. H. A. Greenwood, Superintendent of Operations. Neither of these individuals has had experience with radioactivity. However, the American Mail Line, Ltd., personnel will handle the radioactive waste only after complete packaging has been performed by the Boeing Airplane Company. Therefore, the qualifications of these individuals appear adequate for the waste disposal operation.

2. *Facilities, Equipment, and Procedures.* American Mail Line, Ltd., will not package or ground transport the radioactive wastes. It will receive the packaged wastes from Boeing Airplane Company and load them aboard vessels owned and operated by American Mail Line, Ltd. Adequate storage facilities are available at the dock for holding the waste prior to final disposal. Aboard ship the containers will be stored away from living quarters in an area not frequented by personnel. The waste containers will be disposed of at sea during commercial voyages. Based on these operations, the facilities, equipment, and procedures specified by American Mail Line, Ltd., appear adequate for the waste disposal program.

The waste packages will be transported from the Boeing Airplane Company to the

American Mail Line dock in trucks owned by Boeing. These shipments will be accompanied by a member of the Boeing Industrial Hygiene Unit who will be responsible for radiation protection during such transit.

3. *Packaging of Waste.* The radioactive waste will be packaged by the Boeing Airplane Company. The package will consist of a primary or inner container, a secondary or outer container and a concrete filler. The primary container will be metal with a tight fitting cover. Dry wastes will be compressed and a filler will be added when necessary to eliminate voids. Liquid waste will be neutralized and mixed with plaster of paris or cement to form a solid homogenous mass within the container. Non-aqueous liquids will be mixed with earth or absorbent clay. The primary container will be sealed with masking tape. The density of the primary container will be sufficient to insure it will not float if it becomes separated from the waste package. Each primary container will be monitored for radioactive contamination and any detectable contamination removed prior to packaging. The outer container will be a standard 55 gallon steel drum. Concrete with a minimum density of 135 lbs./cu. ft. will be used as the filler. The outer container will be capped with a dome of concrete. The completed waste package will have a minimum density of 10 lbs./gal. to insure sinking. Sufficient shielding will be provided so that the radiation level will be less than 10 mr/hr at the surface of the container and less than 1 mr/hr at one meter from the surface. The proposed waste package will meet the recommendations of the National Committee on Radiation Protection as contained in NBS Handbook 58 "Radioactive Waste Disposal in the Ocean" and will meet the labeling requirements of Part 20 of the Code of Federal Regulations "Standards for Protection Against Radiation".

4. *Records.* American Mail Line, Ltd., will maintain records of the time, date, and location of the disposal site to the nearest minute of latitude and longitude. The Boeing Airplane Company will maintain records of the contents of each waste package.

5. *Disposal Site.* The disposal site will be in the Pacific Ocean at least 150 miles from the continental shelf at a minimum depth of 1,000 fathoms. At least 10 days prior to each disposal event the Atomic Energy Commission will be notified of the proposed date of disposal, the proposed disposal location in latitude and longitude, the total number of containers, the total activity in millicuries and the most hazardous radioisotope in each container.

Conclusion: The disposal of the types and levels of radioactive waste specified in the application in the ocean at a depth of 1,000 fathoms when packaged in such a manner as to provide reasonable assurance that the material reaches the bottom is considered to be a safe method of radioactive waste disposal. These amounts of radioactive material, if released into sea water and diluted with the available dilution media at the specified depth are highly unlikely to exceed, and in all probability will be less than, the permissible concentrations for drinking water in unrestricted areas as specified in Part 20 "Standards for Protection Against Radiation".

Dated: July 25, 1958.

For the Division of Licensing and Regulation.

H. L. PRICE,
Director.

[F. R. Doc. 58-5911; Filed, Aug. 1, 1958; 8:45 a. m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

KENAI NATIONAL MOOSE RANGE, ALASKA

AGREEMENT CLASSIFYING LANDS FOR OIL AND GAS LEASING PURPOSES

Notice is hereby given that, pursuant to the regulation 43 CFR, 192.9 (Circular 1990), agreement, as reflected by the map herein referred to, has been consumated between the Bureau of Land Management and the United States Fish and Wildlife Service of this Department, designating those lands within the Kenai National Moose Range on the Kenai Peninsula, Alaska, which are hereby closed to oil and gas leasing because such activities would be incompatible with management thereof for wildlife purposes. The lands excluded from leasing are specifically delineated on the map of the Kenai National Moose Range, set forth below, which was approved on January 29, 1958, and are identified on said map as follows:

Closed area. The following described lands within the boundaries of the Kenai National Moose Range, Alaska, are not opened to oil and gas leasing:

SEWARD MERIDIAN

Ts. 1, 2, and 3 N., R. 3 W. (Unsurveyed)
Portion in Moose Range.
Ts. 1 and 2 N., R. 4 W. (Unsurveyed)
All.
Ts. 3 and 4 N., R. 4 W. (Unsurveyed)
Portion in Moose Range.
T. 5 N., R. 4 W. (Unsurveyed)
Portion in Moose Range, south of Sterling Highway as relocated.
T. 9 N., R. 4 W. (Unsurveyed)
North tier of secs. in Moose Range.
T. 10 N., R. 4 W. (Unsurveyed)
Portion in Moose Range.
Ts. 1, 2, 3, and 4 N., R. 5 W. (Unsurveyed)
All.
T. 5 N., R. 5 W. (Unsurveyed)
Portion in Moose Range, south of Sterling Highway as relocated.
T. 9 N., R. 5 W. (Unsurveyed)
Secs. 1 to 6.
T. 10 N., R. 5 W. (Unsurveyed)
Portion in Moose Range.
Ts. 1, 2, 3, and 4 N., R. 6 W. (Unsurveyed)
All.
T. 5 N., R. 6 W. (Unsurveyed)
Portion in Moose Range, south of Sterling Highway as relocated.
T. 10 N., R. 6 W. (Unsurveyed)
East range of secs. in Moose Range.
Ts. 1, 2, 3, and 4 N., R. 7 W. (Unsurveyed)
All.
T. 5 N., R 7 W. (Unsurveyed)
Portion in Moose Range, south of Sterling Highway as relocated.
Ts. 1, 2, 3, and 4 N., R. 8 W. (Unsurveyed)
All.
Ts. 1 and 2 N., R. 9 W. (Unsurveyed)
All.
T. 3 N., R. 9 W. (Unsurveyed)
Secs. 31 to 36, Incl.
T. 1 N., R. 10 W. (Unsurveyed)
Secs. 1 to 6; Secs. 8 to 16; Secs. 22 to 27; and Secs. 34 to 36.
T. 2 N., R. 10 W. (Unsurveyed)
All.
T. 3 N., R. 10 W. (Unsurveyed)
Secs. 31 to 36, incl.
T. 1 N., R. 11 W. (Unsurveyed)
Secs. 1, 2, and 3.
T. 2 N., R. 11 W. (Partly unsurveyed)
Portion in Moose Range.
T. 3 N., R. 11 W. (Partly unsurveyed)
Secs. 34, 35, and 36; and E½, E½W½ Sec. 33.
Ts. 1 and 2 S., R. 3 W. (Unsurveyed)
Portion in Moose Range.
T. 1 S., R. 4 W. (Unsurveyed)
All.
T. 2 S., R. 4 W. (Unsurveyed)
Portion in Moose Range.
T. 1 S., R. 5 W. (Unsurveyed)
All.
Ts. 1 and 2 S., R. 6 W. (Unsurveyed)
All.
Ts. 3, 4, and 5 S., R. 6 W. (Unsurveyed)
Portion in Moose Range.
Ts. 1, 2, and 3 S., R. 7 W. (Unsurveyed)
All.
Ts. 4 and 5 S., R. 7 W. (Unsurveyed)
Portion in Moose Range.
Ts. 1, 2, and 3 S., R 8 W. (Unsurveyed)
All.
T. 4 S., R. 8 W. (Unsurveyed)
Portion in Moose Range.
T. 1 S., R. 9 W. (Unsurveyed)
All.
Ts. 2, 3, and 4 S., R. 9 W. (Unsurveyed)
Portion in Moose Range.
T. 1 S., R. 10 W. (Unsurveyed)
Secs. 1 to 4; Secs. 9 to 15; and Secs. 24, 25, and 36.
T. 2 S., R. 10 W. (Unsurveyed)
Secs. 1, 12, 13, 24, 25, and 36.

The balance of the lands within the Kenai National Moose Range are subject to the filing of oil and gas lease offers in accordance with the provisions of the Mineral Leasing Act of 1920, as amended (41 Stat. 437) and the regulations in 43 CFR, Part 192 and the provisions hereof. Offers to lease covering any of these lands which have been pending and upon which action was suspended in accordance with the regulation 43 CFR 192.9 (d) will now be acted upon and adjudicated in accordance with the regulations.

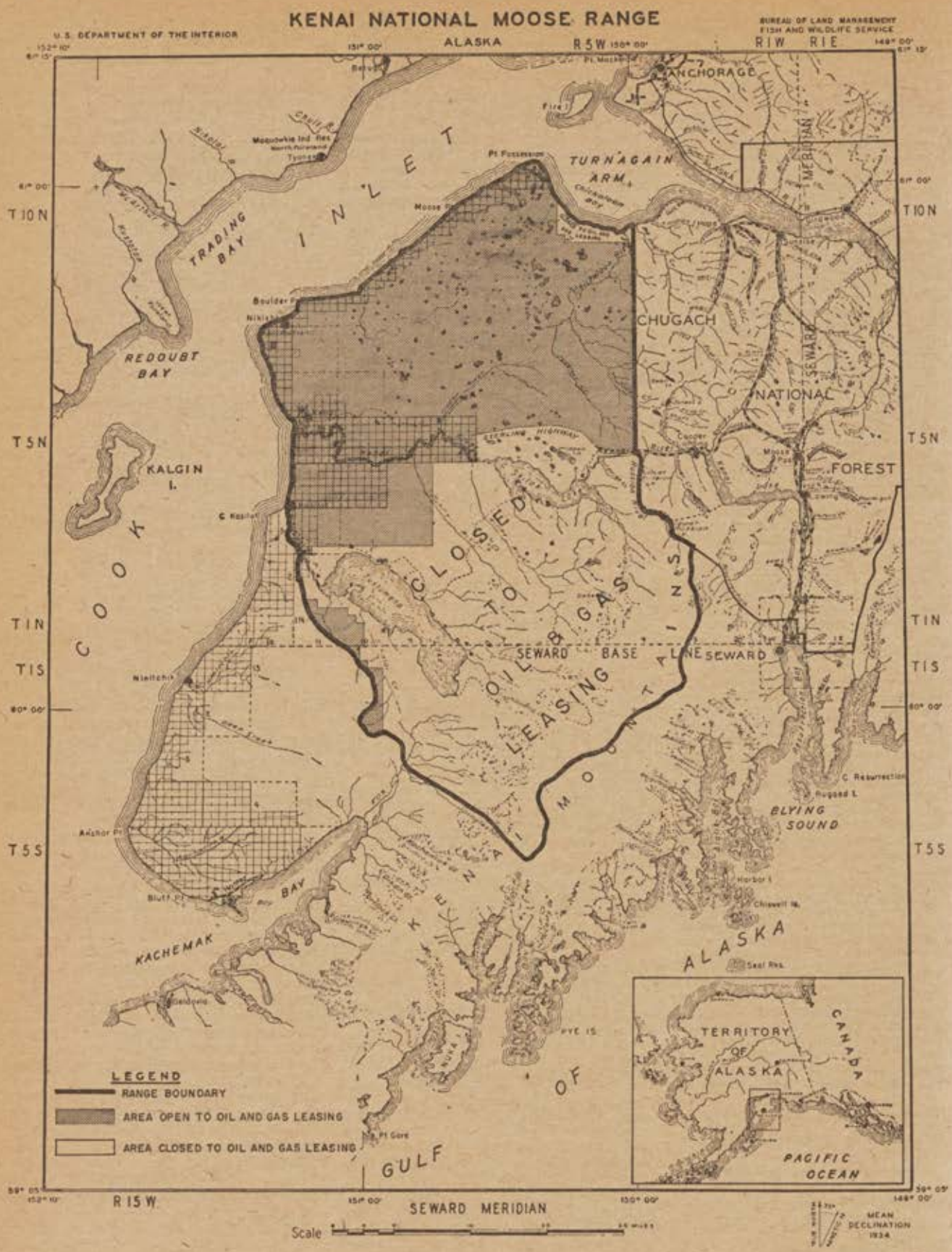
All offers to lease must be submitted on Form 4–1158 and in accordance with the regulation 43 CFR 192.42, accompanied by a $10 filing fee and the advance first year's rental of 50 cents per acre in accordance with the provisions of Public Law 85–505 enacted July 3, 1958.

In accordance with the regulation 43 CFR 192.9 (Circular 1990), lease offers for lands which have not been excluded from leasing will not be accepted for filing until the tenth day after the agreement and map are noted on the records of the land office of the Bureau of Land Management in Anchorage, Alaska. All lease offers filed in that office on that day and until 10 a. m., on the tenth day thereafter will be treated as having been filed simultaneously. The priorities of all offers which conflict in whole or in part will be determined in accordance with the procedure outlined in the regulation 43 CFR 295.8.

All leases will be subject to the special stipulations (Form 4–1383) approved April 18, 1958 and published in the FEDERAL REGISTER April 22, 1958 (23 F. R. 2636, 2637).

FRED A. SEATON,
Secretary of the Interior.

JULY 24, 1958.



Washington, D. C., January 29, 1958.

[F. R. Doc. 58-5811; Filed, July 30, 1958; 12:35 p. m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

RAYMOND E. HEBERT

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of January 23, 1957; 22 F. R. 461; July 23, 1957; 22 F. R. 5846; January 25, 1958; 23 F. R. 517.

A. Deletions: Magna Theatres, Inc.
B. Additions: No change.

This statement is made as of July 11, 1958.

RAYMOND E. HEBERT.

JULY 12, 1958.

[F. R. Doc. 58-5962; Filed, Aug. 1, 1958; 8:54 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11981 etc.; FCC 58M-839]

LATIN-AMERICAN BROADCASTING CORP. ET AL.

ORDER ADVANCING DATE OF HEARING

In re applications of Latin-American Broadcasting Corporation, Monterey Park, California; Docket No. 11981, File No. BP-10811; Radio Orange County, Inc., Anaheim, California; Docket No. 12218, File No. BP-11236; Anaheim-Fullerton Broadcasting Co., Inc., Anaheim-Fullerton, California; Docket No. 12219, File No. BP-11242; for construction permits.

The Hearing Examiner having under sideration a request to advance the date of hearing from September 8 to August 1, 1958;

It appearing that the above request, made by Radio Orange County, Inc., at a hearing conference held this date, was consented to by all parties; and

It further appearing that an advancement of the date would be in the public interest;

It is ordered, This 29th day of July 1958, that the date of hearing is advanced from September 8 to August 1, 1958.

Released: July 30, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5941; Filed, Aug. 1, 1958; 8:51 a. m.]

[Docket No. 12248; FCC 58M-823]

ST. ANTHONY TELEVISION CORP.

ORDER SCHEDULING HEARING

In re application of St. Anthony Television Corporation, Houma, Louisiana; Docket No. 12248, File No. BPCT-2328; for construction permit for a new television broadcast station (Channel 11).

An evidentiary hearing in the above-entitled proceeding will be held on Thursday, July 31, 1958, beginning at 10:00 a. m. in the offices of the Commission, Washington, D. C.

It is so ordered, This the 25th day of July 1958.

Released: July 28, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5942; Filed, Aug. 1, 1958; 8:51 a. m.]

[Docket No. 12520 etc.; FCC58M-840]

LEAVENWORTH BROADCASTING CO. (KCLO) ET AL.

ORDER FOR PREHEARING CONFERENCE

In re applications of George Basil Anderson and Florence L. Anderson, d/b as Leavenworth Broadcasting Company (KCLO), Leavenworth, Kansas; Docket No. 12520, File No. BP-11195; Wichita Beacon Broadcasting Company, Inc. (KWBB), Wichita, Kansas; Docket No. 12521, File No. BP-11207; Willie Ray Harlowe and Carroll C. Lee, d/b as Bowie-Nacona Broadcasting Company, Bowie, Texas; Docket No. 12522, File No. BP-11241; Bert F. Dimock, Jr., and Elmer Covey, d/b as Montague County Broadcasting Company, Bowie, Texas; Docket No. 12523, File No. BP-11890; for construction permits.

A prehearing conference in the above-entitled proceeding will be held on Friday, September 12, 1958, beginning at 10:00 a. m. in the offices of the Commission, Washington, D. C. This conference is called pursuant to the provisions of § 1.111 of the Commission's rules and the matters to be considered are those specified in that section of the rules.

It is so ordered, This the 30th day of July 1958.

Released: July 30, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5943; Filed, Aug. 1, 1958; 8:51 a. m.]

[Docket Nos. 12535, 12536; FCC 58M-829]

ARNOLD J. STONE ET AL.

ORDER SCHEDULING PREHEARING CONFERENCE

In re applications of Arnold J. Stone, Alameda, California; Docket No. 12535, File No. BPH-2414; Patrick Henry and David D. Larsen, a Partnership, Alameda, California; Docket No. 12536, File No. BPH-2437; for construction permits.

The Hearing Examiner having under consideration the above-entitled proceeding;

It is ordered, This 28th day of July 1958, that all parties, or their attorneys, are directed to appear for a prehearing conference, pursuant to the provisions of § 1.111 of the Commission's rules, at the Commission's offices in Washington, D. C., at 2:00 p. m., September 15, 1958.

Released: July 29, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5944; Filed, Aug. 1, 1958; 8:52 a. m.]

[Docket No. 12537; FCC 58M-834]

DARWIN BROADCASTING CO. (KHCD)

ORDER SCHEDULING HEARING

In the matter of revocation of license of Henry Chester Darwin, tr/as Darwin Broadcasting Company (KHCD), Clifton, Arizona; Docket No. 12537.

It is ordered, This 28th day of July 1958, that Forest L. McClenning will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 7, 1958, in Washington, D. C.

Released: July 29, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5945; Filed, Aug. 1, 1958; 8:52 a. m.]

[Docket Nos. 12542, 12543; FCC 58-705]

HENDERSON COUNTY BROADCASTING CO. (KBUD) AND UNIVERSITY ADVERTISING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of J. B. McNutt, Jr., tr/as The Henderson County Broadcasting Company (KBUD), Athens, Texas; Docket No. 12542, File No. BP-11301; University Advertising Company, Highland Park, Texas; Docket No. 12543, File No. BP-11850; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of July 1958;

The Commission having under consideration the above-captioned applications of J. B. McNutt, Jr., trading as The Henderson County Broadcasting Company for a construction permit to change the facilities of Station KBUD, Athens, Texas (from operation on 1410 kilocycles with a power of 250 watts, daytime only, to operation on 1150 kilocycles with a power of 500 watts, daytime only; and of the University Advertising Company for a construction permit for a new standard broadcast station to operate on 1150 kilocycles with a power of 500 watts, directional antenna, daytime only, at Highland Park, Texas;

It appearing that, except as indicated by the issues specified below, both applicants are legally, technically, financially and otherwise qualified to operate their

proposed stations but that the operation of the proposals would result in mutually destructive interference; that proposal of KBUD would cause interference to Station WTAW, College Station, Texas (1150 kc, 1 kw, Day); that the proposed operation of KBUD would cause interference to Station KNED, McAlester, Oklahoma (1150 kc, 500 w, 1 kw-LS, DA-N, U); that the interference which would be received by the proposed operation of KBUD from Stations WTAW and KNED may affect more than ten percent of the population within the proposed primary service area in contravention of § 3.28 (c) of the Commission's rules; and that, in the event of a grant of the application of The Henderson County Broadcasting Company, a complete proof of performance would be required to establish that the antenna system meets the minimum radiation efficiency required by the Commission's rules; and

It further appearing that, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the instant applicants were advised of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of either of the applications would be in the public interest; and

It further appearing that both applicants filed timely replies to the Commission's letter; and

It further appearing that, by letters dated June 6, 1958, the licensee of Station KNED requested that both applications be designated for hearing; and

It further appearing that the Commission's study indicates that no interference would be caused to Station KNED by the University Advertising Company proposal; and

It further appearing that, by letter dated June 10, 1958, the licensee of Station WTAW requested that the applications be designated for hearing; and

It further appearing that, on June 11, 1958, The Henderson County Broadcasting Company filed an amendment which includes measurement data purporting to show that less than ten percent of the population within the proposed primary service areas of KBUD would be affected by interference from existing stations, but that the material submitted is insufficient to establish that conductivities in the area are as low as claimed by the applicant, and, therefore, it appears that the proposed operation of Station KBUD may not be in compliance with § 3.28 (c) of the Commission's rules; and

It further appearing that the Commission, after consideration of the above, is of the opinion that a hearing is necessary;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-captioned applications are designated for hearing in the consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KBUD as proposed and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which would receive primary service from the proposed operation of the University Advertising Company and the availability of other primary service to such areas and populations.

3. To determine whether the proposed operation of Station KBUD would cause objectionable interference to Station KNED, McAlester, Oklahoma, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether the proposed operation of KBUD would cause objectionable interference to Station WTAW, College Station, Texas, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and all existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether, because of interference received, the proposed operation of Station KBUD would comply with § 3.28 (c) of the Commission's rules; and if compliance with § 3.28 (c) is not achieved, whether circumstances exist which would warrant a waiver of said section of the rules.

7. To determine in the light of section 307 (b) of the Communications Act of 1934, as amended, which of the proposals herein would better provide a fair, efficient and equitable distribution of radio service.

8. To determine in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

It is further ordered, That WTAW Broadcasting Corp. and the Pittsburg County Broadcasting Co., licensees of Stations WTAW and KNED, respectively, are made parties to the proceeding.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and parties respondent herein, pursuant to § 1.140 of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the issues in this proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

It is further ordered, That, in the event of favorable action on the application of The Henderson County Broadcasting Company in the hearing ordered above, a complete proof of performance shall be required to establish that the antenna system meets the minimum radiation efficiency required by the Commission's rules.

Released: July 29, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5946; Filed, Aug. 1, 1958; 8:52 a. m.]

[Docket Nos. 12542, 12543; FCC 58M-837]

HENDERSON COUNTY BROADCASTING CO. (KBUD) AND UNIVERSITY ADVERTISING CO.

ORDER SCHEDULING HEARING

In re applications of J. B. McNutt, Jr., tr/as The Henderson County Broadcasting Company (KBUD), Athens, Texas, Docket No. 12542, File No. BP-11301; University Advertising Company, Highland Park, Texas, Docket No. 12543, File No. BP-11850; for construction permits.

It is ordered, This 25th day of July 1958, that Millard F. French will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 20, 1958, in Washington, D. C.

Released: July 30, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5947; Filed, Aug. 1, 1958; 8:52 a. m.]

[Docket Nos. 12544, 12545; FCC 58M-831]

BAY AREA ELECTRONIC ASSOCIATES AND SONOMA COUNTY BROADCASTERS

ORDER SCHEDULING HEARING

In re applications of John F. Egan and Robert Sherman, d/b as Bay Area Electronic Associates, Santa Rosa, California; Docket No. 12544, File No. BP-11319; Alfred M. Pettler, Samuel Elkins, Herbert Stiller, Martin D. Rockey and Sanford Spillman, d/b as Sonoma County Broadcasters, Santa Rosa, California; Docket No. 12545, File No. BP-11809; for construction permits.

It is ordered, This 25th day of July 1958, that Elizabeth C. Smith will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 16, 1958, in Washington, D. C.

Released: July 29, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5948; Filed, Aug. 1, 1958; 8:52 a. m.]

[Docket Nos. 12546, 12547; FCC 58M-832]

NEWARK BROADCASTING CORP. AND WMGM BROADCASTING CORP.

ORDER SCHEDULING HEARING

In re applications of Newark Broadcasting Corporation, Newark, New Jersey; Docket No. 12546, File No. BPH-2427; WMGM Broadcasting Corporation, New York City, New York; Docket No. 12547, File No. BPH-2442; for construction permits.

It is ordered, This 25th day of July 1958, that Charles J. Frederick will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 21, 1958, in Washington, D. C.

Released: July 29, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5949; Filed, Aug. 1, 1958; 8:52 a. m.]

[Docket Nos. 12548, 12549; FCC 58M-833]

FALCON BROADCASTING CO. AND SIERRA MADRE BROADCASTING CO.

ORDER SCHEDULING HEARING

In re applications of George A. Baron, tr/as Falcon Broadcasting Company, Vernon, California; Docket No. 12548, File No. BPH-2382; Max H. Isoard, tr/as Sierra Madre Broadcasting Company, Sierra Madre, California; Docket No. 12549, File No. BPH-2403; for construction permits.

It is ordered, This 28th day of July 1958, that Forest L. McClenning will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 16, 1958, in Washington D. C.

Released: July 29, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5950; Filed, Aug. 1, 1958; 8:52 a. m.]

[Docket Nos. 12550, 12551; FCC 58M-830]

PACIFICA FOUNDATION AND UNIVERSITY OF JUDAISM

ORDER SCHEDULING HEARING

In re applications of Pacifica Foundation, Pasadena, California; Docket No. 12550, File No. BPED-353; University of Judaism-West Coast Branch of the Jewish Theological Seminary, Los Angeles, California; Docket No. 12551, File No. BPED-357; for construction permits.

It is ordered, This 25th day of July 1958, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 20, 1958, in Washington, D. C.

Released: July 29, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5951; Filed, Aug. 1, 1958; 8:52 a. m.]

[Docket No. 12263; FCC 58-720]

REVISION OF RADIO REGULATIONS OF INTERNATIONAL TELECOMMUNICATION UNION

SIXTH NOTICE OF INQUIRY

On December 9, 1957, the Commission released its First Notice of Inquiry in this Docket, inviting interested persons to file comments on or before January 23, 1958, setting forth their views with respect to changes in the Atlantic City Radio Regulations.

As indicated in the First Notice, various Government-industry committees under the auspices of the Department of State are in the process of preparing proposed amendments to the Radio Regulations to be submitted for consideration at the Radio Conference of the International Telecommunication Union in 1959. The Commission stated in the First Notice that it intended to make available for comment some of the specific proposals under consideration. Although most of the preparatory committees are still engaged in their work, the Commission considers that some of the proposals, while they do not as yet have any formal status, have reached a stage where it is appropriate to make them available for comments in this Docket. It should be recognized that these proposals are subject to change, but it is the Commission's opinion that they provide a basis for interested persons to make known their views, and that such views will be of value to the Commission in formulating its recommendations to the Department of State which has the overall responsibility for formulating the position of the United States in these matters. It should be noted that the Department of State receives recommendations not only from the Commission but also from other interested agencies of the Government.

The Commission has set forth in the attachment [1] certain proposed changes to Article 37 of the Radio Regulations. This text has been approved by an appropriate Department of State preparatory committee.

New material proposed is underscored while existing material proposed to be deleted has been struck through. The numbers in the left margin refer to the paragraphs of the existing Atlantic City Radio Regulations or are new numbers supplied for editorial reasons. The reasons for the various proposals are set forth following each paragraph, section or article.

[1] Filed as part of the original document. Copies may be obtained from the Federal Communications Commission, Washington 25, D. C.

Any interested person is invited to file comments with the Commission concerning this matter on or before September 2, 1958. In view of the necessity for preparing the United States position at the earliest possible time, the Commission does not expect to be able to grant an extension of time for filing comments. In accordance with the provisions of § 1.54 of the Commission's rules, an original and fourteen (14) copies of all comments shall be furnished to the Commission.

Adopted: July 23, 1958.

Released: July 30, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5952; Filed, Aug. 1, 1958; 8:53 a. m.]

[Docket No. 12263; FCC 58-721]

REVISION OF RADIO REGULATIONS OF INTERNATIONAL TELECOMMUNICATION UNION

SEVENTH NOTICE OF INQUIRY

On December 9, 1957, the Commission released its First Notice of Inquiry in this Docket, inviting interested persons to file comments on or before January 23, 1958, setting forth their views with respect to changes in the Atlantic City Radio Regulations.

As indicated in the First Notice, various Government-industry committees under the auspices of the Department of State are in the process of preparing proposed amendments to the Radio Regulations to be submitted for consideration at the Radio Conference of the International Telecommunication Union in 1959. The Commission stated in the First Notice that it intended to make available for comment some of the specific proposals under consideration. Although most of the preparatory committees are still engaged in their work, the Commission considers that some of the proposals, while they do not as yet have any formal status, have reached a stage where it is appropriate to make them available for comments in this Docket. It should be recognized that these proposals are subject to change, but it is the Commission's opinion that they provide a basis for interested persons to make known their views, and that such views will be of value to the Commission in formulating its recommendations to the Department of State which has the overall responsibility for formulating the position of the United States in these matters. It should be noted that the Department of State received recommendations not only from the Commission but also from other interested agencies of the Government.

Accordingly, the Commission has set forth in the attachment [1] certain proposed changes to the Radio Regulations. Proposals concerning Articles 28 and 33 and Appendices 10 and 12 bis, and portions of Articles 1 and 9 and Appendix 3 are shown. This material has either

been adopted by certain Department of State preparatory committees or in a few instances is on the agenda for consideration in such committees. It is understood that in some instances dissent was expressed by some members with respect to certain of the paragraphs in the attached texts. It is further emphasized that final action by the Department of State preparatory committees with respect to all these items has not taken place.

New material proposed is underscored while existing material proposed to be deleted has been struck through. The numbers in the left margin refer to the paragraphs of the existing Atlantic City Radio Regulations or are new numbers supplied for editorial reasons. The reasons for the various proposals are set forth following each paragraph, section or article.

It is expected that Notices similar to this one will be released with respect to other Articles in the Radio Regulations as soon as possible.

Any interested person is invited to file comments with the Commission concerning this matter on or before September 2, 1958. In view of the necessity for preparing the United States position at the earliest possible time, the Commission does not expect to be able to grant an extension of time for filing comments. In accordance with the provisions of § 1.54 of the Commission's rules, an original and fourteen (14) copies of all comments shall be furnished to the Commission.

Adopted: July 23, 1958.

Released: July 29, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5953; Filed, Aug. 1, 1958; 8:53 a. m.]

[Docket No. 12263; FCC 58-722]

REVISION OF RADIO REGULATIONS OF INTERNATIONAL TELECOMMUNICATION UNION

EIGHTH NOTICE OF INQUIRY

On December 9, 1957, the Commission released its First Notice of Inquiry in this Docket, inviting interested persons to file comments on or before January 23, 1958, setting forth their views with respect to changes in the Atlantic City Radio Regulations.

As indicated in the First Notice, various Government-industry committees under the auspices of the Department of State are in the process of preparing proposed amendments to the Radio Regulations to be submitted for consideration at the Radio Conference of the International Telecommunication Union in 1959. The Commission stated in the First Notice that it intended to make available for comment some of the specific proposals under consideration. Although most of the preparatory committees are still engaged in their work, the Commission considers that some of the proposals, while they do not as yet have any formal status, have reached a stage where it is appropriate to make them available for comments in this Docket. It should be recognized that these proposals are subject to change, but it is the Commission's opinion that they provide a basis for interested persons to make known their views, and that such views will be of value to the Commission in formulating its recommendations to the Department of State which has the overall responsibility for formulating the position of the United States in these matters. It should be noted that the Department of State receives recommendations not only from the Commission but also from other interested agencies of the Government.

The Commission has set forth in the attachment[1] certain proposed changes to Article 34 of the Radio Regulations. This text is that approved by Department of State Preparatory Committee V with editorial changes to make the format consistent with draft proposals for other articles.

New material proposed is underscored while existing material proposed to be deleted has been struck through. The numbers in the left margin refer to the paragraphs of the existing Atlantic City Radio Regulations or are new numbers supplied for editorial reasons. The reasons for the various proposals are set forth following each paragraph, section or article.

It is expected that Notices similar to this one will be released with respect to other Articles in the Radio Regulations as soon as possible.

Any interested persons is invited to file comments with the Commission concerning this matter on or before September 2, 1958. In view of the necessity for preparing the United States position at the earliest possible time, the Commission does not expect to be able to grant an extension of time for filing comments. In accordance with the provisions of § 1.54 of the Commission's rules, an original and fourteen (14) copies of all comments shall be furnished to the Commission.

Adopted: July 23, 1958.

Released: July 29, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5954; Filed, Aug. 1, 1958; 8:53 a. m.]

[Docket No. 12263; FCC 58-723]

REVISION OF RADIO REGULATIONS OF INTERNATIONAL TELECOMMUNICATION UNION

NINTH NOTICE OF INQUIRY

On December 9, 1957, the Commission released its First Notice of Inquiry in this Docket, inviting interested persons to file comments on or before January 23, 1958, setting forth their view with respect to changes in the Atlantic City Radio Regulations.

As indicated in the First Notice, various Government-industry committees under the auspices of the Department of State are in the process of preparing proposed amendments to the Radio Regulations to be submitted for consideration at the Radio Conference of the International Telecommunication Union in 1959. The Commission stated in the First Notice that it intended to make available for comment some of the specific proposals under consideration. Although most of the preparatory committees are still engaged in their work, the Commission considers that some of the proposals, while they do not as yet have any formal status, have reached a stage where it is appropriate to make them available for comments in this Docket. It should be recognized that these proposals are subject to change, but it is the Commission's opinion that they provide a basis for interested persons to make known their views, and that such views will be of value to the Commission in formulating its recommendations to the Department of State which has the overall responsibility for formulating the position of the United States in these matters. It should be noted that the Department of State receives recommendations not only from the Commission but also from other interested agencies of the Government.

The Commission has set forth in the attachment[1] certain proposed changes to Appendix 4 of the Radio Regulations. This text has been considered in Committee IV where it has met with substantial agreement. It is understood that certain members of the Committee expressed dissent with regard to the term "Occupied Bandwidth" as used in the heading of the table and in Notes 3 and 4 of the Appendix. It is further emphasized that final action by the Department of State preparatory committees with respect to all these items has not taken place.

It is expected that Notices similar to this one will be released with respect to other Articles in the Radio Regulations as soon as possible.

Any interested person is invited to file comments with the Commission concerning this matter on or before September 2, 1958. In view of the necessity for preparing the United States position at the earliest possible time, the Commission does not expect to be able to grant extension of time for filing comments. In accordance with the provisions of § 1.54 of the Commission's rules, an original and fourteen (14) copies of all comments shall be furnished to the Commission.

Adopted: July 23, 1958.

Released: July 30, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5955; Filed, Aug. 1, 1958; 8:53 a. m.]

[1] Filed as part of the original document. Copies may be obtained from the Federal Communications Commission, Washington 25, D. C.

[Docket No. 12263; FCC 58-725]

REVISION OF RADIO REGULATIONS OF INTERNATIONAL TELECOMMUNICATIONS UNION

ELEVENTH NOTICE OF INQUIRY

On December 9, 1957, the Commission released its First Notice of Inquiry in this Docket, invited interested persons to file comments on or before January 23, 1958, setting forth their views with respect to changes in the Atlantic City Radio Regulations.

As indicated in the First Notice, various Government-industry committees under the auspices of the Department of State are in the process of preparing proposed amendments to the Radio Regulations to be submitted for consideration at the Radio Conference of the International Telecommunication Union in 1959. The Commission stated in the First Notice that it intended to make available for comment some of the specific proposals under consideration. Although most of the preparatory committees are still engaged in their work, the Commission considers that some of the proposals, while they do not as yet have any formal status, have reached a stage where it is appropriate to make them available for comments in this Docket. It should be recognized that these proposals are subject to change, but it is the Commission's opinion that they provide a basis for interested persons to make known their views, and that such views will be of value to the Commission in formulating its recommendations to the Department of State which has the overall responsibility for formulating the position of the United States in these matters. It should be noted that the Department of State receives recommendations not only from the Commission but also from other interested agencies of the Government.

The Commission has set forth in the attachment[1] certain proposed changes to Article 20 and Appendix 6 of the Radio Regulations. These texts have been approved by two subcommittees of the appropriate Department of State preparatory committees.

Any interested person is invited to file comments with the Commission concerning this matter on or before September 2, 1958. In view of the necessity for preparing the United States position at the earliest possible time, the Commission does not expect to be able to grant an extension of time for filing comments. In accordance with the provisions of § 1.54 of the Commission's rules, an original and fourteen (14) copies of all comments shall be furnished to the Commission.

Adopted: July 23, 1958.

Released: July 30, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5957; Filed, Aug. 1, 1958; 8:53 a. m.]

[1] Filed as part of the original document. Copies may be obtained from the Federal Communications Commission, Washington 25, D. C.

[Docket No. 12263; FCC 58-724]

REVISION OF RADIO REGULATIONS OF INTERNATIONAL TELECOMMUNICATION UNION

TENTH NOTICE OF INQUIRY

On December 9, 1957, the Commission released its First Notice of Inquiry in this Docket, inviting interested persons to file comments on or before January 23, 1958, setting forth their views with respect to changes in the Atlantic City Radio Regulations.

As indicated in the First Notice, various Government-industry committees under the auspices of the Department of State are in the process of preparing proposed amendments to the Radio Regulations to be submitted for consideration at the Radio Conference of the International Telecommunication Union in 1959. The Commission stated in the First Notice that it intended to make available for comment some of the specific proposals under consideration. Although most of the preparatory committees are still engaged in their work, the Commission considers that some of the proposals, while they do not as yet have any formal status, have reached a stage where it is appropriate to make them available for comments in this Docket. It should be recognized that these proposals are subject to change, but it is the Commission's opinion that they provide a basis for interested persons to make known their views, and that such views will be of value to the Commission in formulating its recommendations to the Department of State which has the overall responsibility for formulating the position of the United States in these matters. It should be noted that the Department of State receives recommendations not only from the Commission but also from other interested agencies of the Government.

The Commission has set forth in the attachment[1] certain proposed changes to Appendices 8, 9, and 16 of the Radio Regulations. The text of Appendix 8 is that adopted in Committee V, and the text of Appendix 9 is the Committee V version with editorial changes to make the format consistent with the draft proposals for other articles. The text for Appendix 16 has not so far been considered by any preparatory committee.

Any interested person is invited to file comments with the Commission concerning this matter on or before September 2, 1958. In view of the necessity for preparing the United States position at the earliest possible time, the Commission does not expect to be able to grant an extension of time for filing comments. In accordance with the provisions of § 1.54 of the Commission's rules, an original and fourteen (14) copies of all comments shall be furnished to the Commission.

Adopted: July 23, 1958.

Released: July 30, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5956; Filed, Aug. 1, 1958; 8:53 a. m.]

[Docket No. 12263; FCC 58-726]

REVISION OF RADIO REGULATIONS OF INTERNATIONAL TELECOMMUNICATION UNION

TWELFTH NOTICE OF INQUIRY

On December 9, 1957, the Commission released its First Notice of Inquiry in this Docket, inviting interested persons to file comments on or before January 23, 1958, setting forth their views with respect to changes in the Atlantic City Radio Regulations.

As indicated in the First Notice, various Government-industry committees under the auspices of the Department of State are in the process of preparing proposed amendments to the Radio Regulations to be submitted for consideration at the Radio Conference of the International Telecommunication Union in 1959. The Commission stated in the First Notice that it intended to make available for comments some of the specific proposals under consideration. Although most of the preparatory committees are still engaged in their work, the Commission considers that some of the proposals, while they do not as yet have any formal status, have reached a stage where it is appropriate to make them available for comments in this Docket. It should be recognized that these proposals are subject to change, but it is the Commission's opinion that they provide a basis for interested persons to make known their views, and that such views will be of value to the Commission in formulating its recommendations to the Department of State which has the overall responsibility for formulating the position of the United States in these matters. It should be noted that the Department of State receives recommendations not only from the Commission but also from other interested agencies of the Government.

The Commission has set forth in the attachment[1] certain proposed changes to Article 44 of the Radio Regulations. While this version of Article 44 has not been considered in any Department of State preparatory committee, it is edited from the version adopted previously by the appropriate preparatory committee, in order to make the text consistent with the draft proposals for other articles of the Radio Regulations.

Any interested person is invited to file comments with the Commission concerning this matter on or before September 2, 1958. In view of the necessity for preparing the United States position at the earliest possible time, the Commission does not expect to be able to grant an extension of time for filing comments. In accordance with the provisions of § 1.54 of the Commission's rules, an original and fourteen (14) copies of all comments shall be furnished to the Commission.

Adopted: July 23, 1958.

Released: July 30, 1958.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] GORDON J. KENT,
Acting Secretary.

[F. R. Doc. 58-5958; Filed, Aug. 1, 1958; 8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G–13018, G–13019]

PACIFIC NORTHWEST PIPELINE CORP. AND EL PASO NATURAL GAS CO.

NOTICE OF CONSOLIDATION AND FIXING DATE OF HEARING

JULY 25, 1958.

In the matters of Pacific Northwest Pipeline Corporation, Docket No. G–13018; El Paso Natural Gas Company, Docket No. G–13019.

On August 7, 1957, Pacific Northwest Pipeline Corporation (Pacific), filed in Docket No. G–13018, an application, to which subsequent amendments have been filed, pursuant to section 7 (b) of the Natural Gas Act, for permission and approval for the abandonment of its facilities subject to the jurisdiction of the Federal Power Commission, and the service rendered by means of such facilities, subject to El Paso Natural Gas Company receiving a certificate of public convenience and necessity as applied for in Docket No. G–13019 to acquire by merger these facilities and service rendered by Pacific. Due notice of the filing of this application has been given including publication in the FEDERAL REGISTER on October 1, 1957 (22 F. R. 7776–7).

On August 7, 1957, El Paso Natural Gas Company (El Paso) filed in Docket No. G–13019, an application, to which subsequent amendments have been filed, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act to acquire and operate the above-mentioned pipeline system of Pacific as presently constituted and as it may be enlarged or extended prior to the date of the proposed acquisition, including the right to construct any extensions, additions or other facilities which have been certificated prior to such date. Due notice of the filing of this application has been given including publication in the FEDERAL REGISTER on October 1, 1957 (22 F. R. 7776–7).

Take notice that the above-entitled proceedings are consolidated for hearing and pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held commencing on September 17, 1958, at 10 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the above-entitled applications.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58–5918; Filed, Aug. 1, 1958; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 30, 1958.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 34849: *Substituted service—Pennsylvania Railroad for motor carrier-Riss & Company.* Filed by Riss & Company, Inc., Agent (No. 2), for itself and The Pennsylvania Railroad Company. Rates on various commodities loaded in highway trailers and transported on railroad flat cars between specified junction points in official territory, on traffic originating at or destined to points on motor carriers described in the application.

Grounds for relief: Motor truck competition.

FSA No. 34850: *Brick from and to points in southern territory.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on brick and related articles, carloads from specified points in southern territory to specified points in southern territory, including Ohio and Mississippi River crossings border points, points in Virginia and Washington, D. C.

Grounds for relief: Short-line distance formula, grouping, and relief line arbitraries.

Tariff: Supplement 149 to Southern Freight Association tariff I. C. C. 1278.

FSA No. 34851: *Asphalt—Rogerslacy, Miss., to Illinois territory.* Filed by O. W. South, Jr., Agent (SFA No. A3709), for interested rail carriers. Rates on asphalt, carloads from Rogerslacy, Miss., to specified points in Illinois, Iowa, Missouri, and Wisconsin.

Grounds for relief: Market competition with New Orleans, La.

Tariff: Supplement 108 to Southern Freight Association tariff I. C. C. 1561.

FSA No. 34852: *Paper and paper articles from and to points in the Southwest.* Filed by Southwestern Freight Bureau, Agent (SWFB No. B–7314), for interested rail carriers. Rates on paper and paper articles, carloads; also platforms and skids, carloads, returned to point of origin between points in Arkansas, Louisiana (west of the Mississippi River), southern Missouri, New Mexico, Oklahoma, and Texas, and from points in such states or portions thereof to specified points in Kansas, Illinois, western trunk line and southern territories, as more fully described in the application.

Grounds for relief: Short-line distance formulas, and market competition.

Tariffs: Supplement 28 to Southwestern Freight Bureau tariff I. C. C. 4271. Supplement 5 to Southwestern Freight Bureau tariff I. C. C. 4289. Supplement 89 to Southwestern Freight Bureau tariff I. C. C. 4198.

FSA No. 34853: *Soda ash between points in official territory.* Filed by O. E. Schultz, Agent (ER 2452), for interested rail carriers. Rates on soda ash, carloads, as described in the application between points in official territory, including northern Illinois, southern Wisconsin, and extended zone "C" in Wisconsin, as more fully described in the application.

Grounds for relief: Short-line distance formulas, grouping, and special rate treatment for short or weak lines.

Tariff: Supplement 47 to Trunk Line-Central Territory Railroads Tariff Bureau tariff I. C. C. 4772.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F. R. Doc. 58–5927; Filed, Aug. 1, 1958; 8:49 a. m.]

[Notice 8]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 30, 1958.

Synopses of orders entered pursuant to section 212 (b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice, any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17 (8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC 61095. By order of July 23, 1958, Division 4, approved the transfer to V. C. Trucking Service, Inc., Flushing, Long Island, N. Y., of a portion of certificate No. MC 20915, issued January 13, 1942, to Skyway, Inc., North Bergen, N. J., authorizing the transportation over irregular routes of: *Chemicals, tile,* and *cement,* between New York, N. Y., Lincoln and North Bergen, N. J., on the one hand, and, on the other, New York, N. Y., and points in Rockland, Westchester, and Nassau Counties, N. Y., and those in Union County, N. J., the order of approval being conditioned on revocation of that portion of Certificate No. MC 20915, authorizing the transportation over irregular routes of chemicals, tile, and cement, between New York, N. Y. and points in Bergen County, N. J. William D. Traub, 10 East 40th Street, New York 16, N. Y. for applicants.

No. MC–FC 61173. By order of July 23, 1958, the Transfer Board approved the transfer to Robert L. Browning and Mrs. Irene Browning, a Partnership, doing business as Browning Truck Lines, 401 South Washington Street, Clinton, Mo., of Certificate No. MC 83517, issued June 30, 1952, to Ernest Browning and Robert L. Browning, a Partnership, doing business as Browning Truck Line, 401 South Washington Street, Clinton, Mo., authorizing the transportation of livestock from Clinton to Kansas City and East St. Louis, Mo., general commodities, with certain exceptions, from Kansas City, Kans., to Clinton, Mo., and from Clinton, Mo., to East St. Louis, Ill., and household goods and emigrant movables, between Clinton, Mo., and points within 20 miles thereof, on the one hand, and, on the other, points in Kansas and Iowa.

No. MC–FC 61299. By order of July 28, 1958, the Transfer Board approved

the transfer to Douglas W. Kluever, Bigelow, Minn., of Certificates Nos. MC 93573 and MC 93573 Sub 1, issued May 27, 1941, and May 30, 1942, respectively, to Addison H. Kramer, Bigelow, Minn., authorizing the transportation of livestock, over irregular routes, between Bigelow, Minn., and points within 15 miles thereof, on the one hand, and, on the other, Sioux Falls, S. Dak., and Sioux City, Iowa, and in two Iowa townships, farm machinery, emigrant movables, and feed, between points within 15 miles of Bigelow, and sand and gravel, between points within 20 miles of Bigelow. Raymond E. Mork, P. O. Box 45, Worthington, Minn., for applicants.

No. MC-FC 61321. By order of July 23, 1958, the Transfer Board approved the transfer to Stockberger Transfer & Storage, Inc., Mason City, Iowa, of Certificates Nos. MC 43162 and MC 43162 Sub 5, issued August 1, 1957 and September 27, 1957, respectively, to Dairy Freight Service, Inc., Mason City, Iowa, authorizing the transportation of: Malt beverages, from St. Paul, St. Peter, and Mankato, Minn., LaCrosse and Milwaukee, Wis., and Chicago, Ill., to Mason City, Iowa; and empty malt beverage containers, from Mason City, Iowa, to the above-specified origin points; Carbonated beverages, from Maywood, Ill., to Mason City, Iowa; poultry and eggs, from Mason City, Iowa, to Chicago, Ill.; general commodities, with exceptions, from Chicago, Ill., to Mason City, Cedar Rapids, and Marshalltown, Iowa; hides and pelts, in truckload lots only, from Mason City, Iowa, to Chicago, Ill.; meat and packing-house products, in truckload lots only, between Mason City, Iowa, and Chicago, Ill.; and dairy and creamery products, eggs, and dressed poultry, from points in Kossuth, Winnebago, Hancock, Franklin, Emmet, and Cerro Gordo Counties, Iowa, to Mason City, Iowa. Stephen Robinson, 1020 Savings and Loan Building, Des Moines 9, Iowa, for applicants.

No. MC-FC 61416. By order of July 23, 1958, the Transfer Board approved the transfer to Reliable Transport of Virginia, Incorporated, Portsmouth, Virginia, of a portion of Certificate in No. MC 34837, issued November 12, 1940, to Reliable Transport, Incorporated, Raleigh, North Carolina, authorizing the transportation of *Liquid petroleum products*, in tank trucks, over irregular routes, from Norfolk and Hopewell, Va., and Wilmington, N. C., and points within 10 miles of each, to points in that part of North Carolina on and east of U. S. Highway 21. Vaughan S. Winborne, 209 Security Bank Building, Portsmouth, Va., for applicants.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 58-5928; Filed, Aug. 1, 1958; 8:49 a. m.]